



## PLANNING AND ZONING CASE CHECKLIST

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

P&Z CASE # 22020-037 P&Z DATE 09/15/20 CC DATE 09/21/20 APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

### ZONING APPLICATION

- ☒ SPECIFIC USE PERMIT
- ☐ ZONING CHANGE
- ☐ PD CONCEPT PLAN
- ☐ PD DEVELOPMENT PLAN

### SITE PLAN APPLICATION

- ☐ SITE PLAN
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN
- ☐ PHOTOMETRIC PLAN
- ☐ BUILDING ELEVATIONS
- ☐ MATERIAL SAMPLES
- ☐ COLOR RENDERING

### PLATTING APPLICATION

- ☐ MASTER PLAT
- ☐ PRELIMINARY PLAT
- ☐ FINAL PLAT
- ☐ REPLAT
- ☐ ADMINISTRATIVE/MINOR PLAT
- ☐ VACATION PLAT
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN

- ☐ COPY OF ORDINANCE (ORD.# \_\_\_\_\_)
- ☒ APPLICATIONS
- ☒ RECEIPT
- ☒ LOCATION MAP
- ☒ HOA MAP
- ☒ PON MAP
- ☐ FLU MAP
- ☐ NEWSPAPER PUBLIC NOTICE
- ☐ 500-FT. BUFFER PUBLIC NOTICE
- ☐ PROJECT REVIEW
- ☐ STAFF REPORT
- ☐ CORRESPONDENCE
- ☐ COPY-ALL PLANS REQUIRED
- ☐ COPY-MARK-UPS
- ☐ CITY COUNCIL MINUTES-LASERFICHE
- ☐ MINUTES-LASERFICHE
- ☐ PLAT FILED DATE \_\_\_\_\_
  - ☐ CABINET # \_\_\_\_\_
  - ☐ SLIDE # \_\_\_\_\_

NOTES: \_\_\_\_\_

ZONING MAP UPDATED \_\_\_\_\_





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

## STAFF USE ONLY

PLANNING & ZONING CASE NO.

22020-037

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
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- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
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- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

#### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 150 Pecan Valley Dr

Subdivision A0131, S. King Survey, Tract 1; Pecan Valley Retail Lot 1 Block A

General Location NWC Goliad St & Pecan Valley Dr

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-65 w. N. SH-205 Overlay

Current Use Undeveloped/Vacant

Proposed Zoning PD-65 w. N. SH-205 Overlay

Proposed Use Restaurant w/ Drive-Thru

Acreage 2.246

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ Owner JCDB Goliad Holdings, LLC

☐ Applicant Wier & Associates, Inc.

Contact Person Chad DuBose

Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

City, State & Zip Henderson, TX 75654

Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

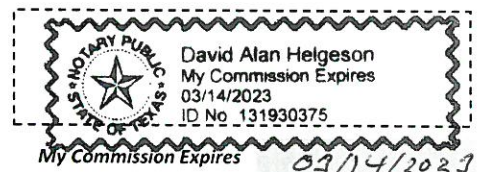
Before me, the undersigned authority, on this day personally appeared Cary Albert [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 233.69, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of August, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 14th day of August, 20 20.

Owner's Signature

Notary Public in and for the State of Texas







**WIER & ASSOCIATES, INC.**  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
JULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445





# Wier & Associates, Inc.

Consulting Engineers • Land Surveyors • Land Planners

2201 E. Lamar Blvd., Suite 200E  
Arlington, TX 76006-7440  
(817) 467-7700 Fax (817) 467-7713  
www.WierAssociates.com

Texas Engineering Firm No. F-2776  
Texas Land Surveying Firm No. 10033900



## LETTER OF TRANSMITTAL

TO: City of Rockwall  
Planning & Zoning Dept  
385 S. Goliad St  
Rockwall, Texas 75087  
Attn: \_\_\_\_\_

DATE: 08/14/2020  
  
RE: Specific Use Permit  
NWC Goliad St & Pecan Valley  
Restaurant w/ Drive-Thru

### WE ARE SENDING:

COPIES	DATE	DESCRIPTION
4	08/14/20	Exhibits (24"x36", folded), plus pdf copy on CD
1	08/14/20	Letter of Explanation
1	08/14/20	Legal Description
1	08/14/20	Application and Application Fee (\$200 + \$15/acre)
1	08/14/20	Plat (11x17)

IF ENCLOSURES ARE NOT AS NOTED, PLEASE NOTIFY US AT ONCE.

☐ FOR YOUR USE      ☐ FOR APPROVAL      ☐ AS REQUESTED      ☒ FOR REVIEW & COMMENT

### VIA:

☐ U.S. MAIL      ☐ HOLD FOR: \_\_\_\_\_  
☐ FedEx/OVERNIGHT DELIVERY      ☒ W&A - DELIVERY BY: 5:00 \_\_\_\_\_  
☐ COURIER BY: \_\_\_\_\_ : \_\_\_\_\_      RECEIVED BY: \_\_\_\_\_      WA Initials \_\_\_\_\_

REMARKS: Original signed application to be picked up at the following address prior to City delivery:  
Albert Enterprises  
14114 Dallas Pkwy, Suite 670  
Dallas, TX 75254

Please let us know if you need anything else. Thanks!

COPY TO: \_\_\_\_\_ FROM: Casey Orr, P.E.  
\_\_\_\_\_  
PREPARED BY: CBO  
\_\_\_\_\_  
COPIES MADE: \_\_\_\_\_ W&A#: 19022 ☐ C ☐ D  
[Please Initial]

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";

2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT;

THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.



## Smoothie King Traffic Counts

	Avg Transactions Per Hour				Peak Transactions Per Hour		
	Breakfast	Lunch	Snack	Dinner	Hour	#	\$
SK-1352	7.6	23.8	20.0	7.1	8:00 PM	24	\$247
SK-1375	11.6	37.0	34.0	19.1	12:00 PM	39	\$433
SK-1434	5.2	14.0	18.7	12.2	4:00 PM	23	\$240
SK-1631	7.0	24.5	21.3	12.0	11:00 AM	26	\$294
Total	7.9	24.8	23.5	12.6	12:00 PM	114	\$1,119

LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

- GENERAL NOTES:
1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

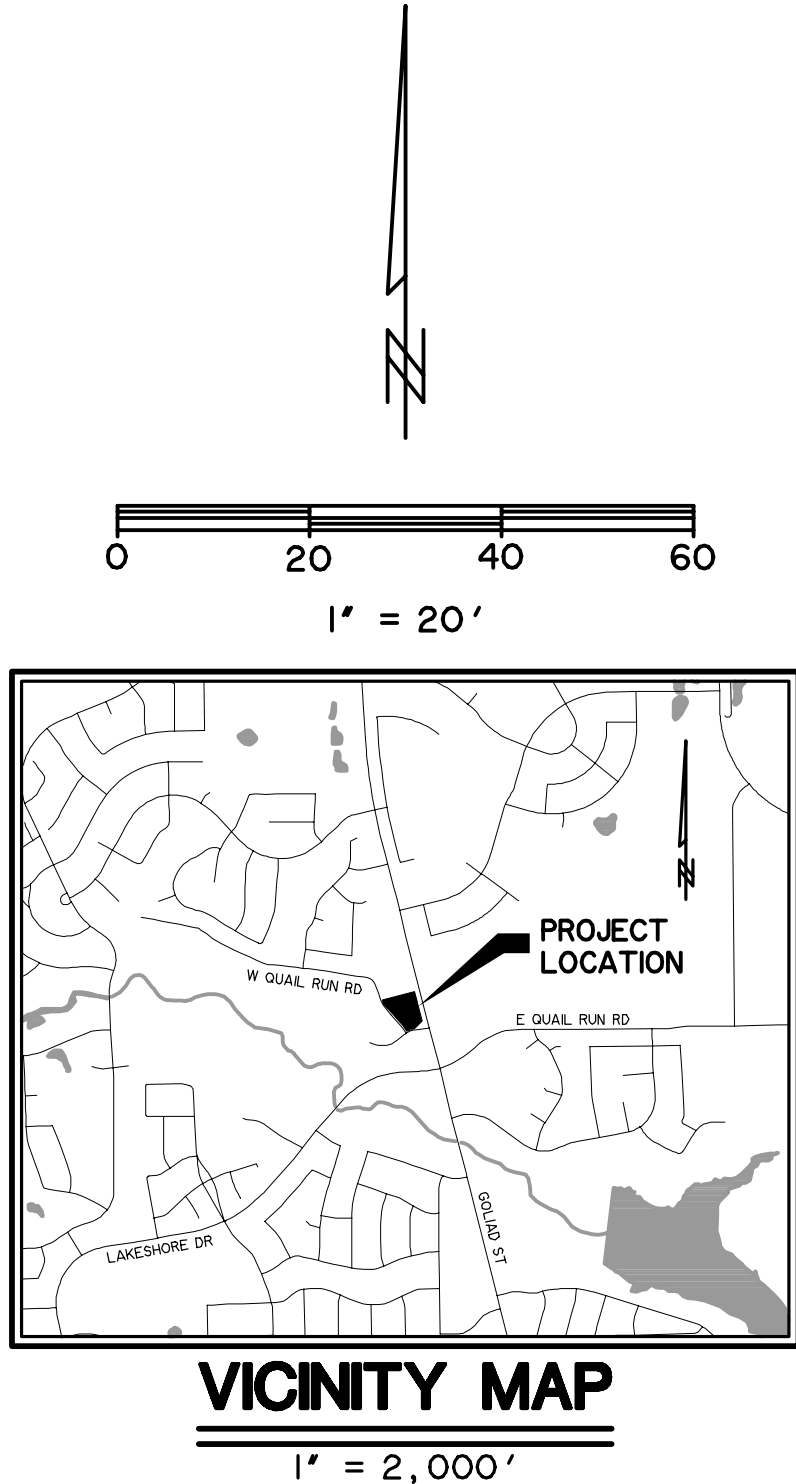
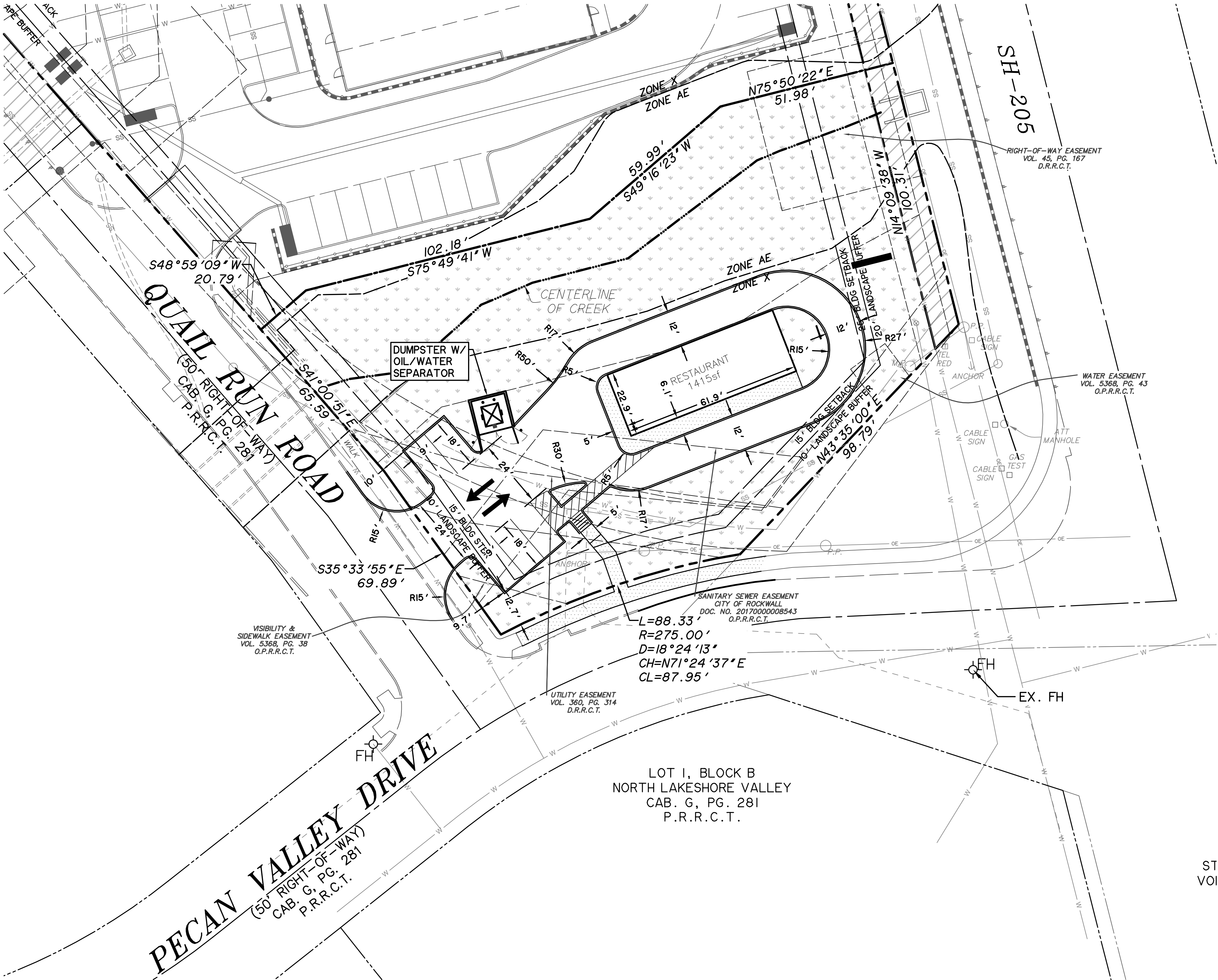
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

August 13, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-XXX

DATE: 8/13/2020  
W.A. No. 19022

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

## STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

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☐ Applicant Wier & Associates, Inc.

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Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

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Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

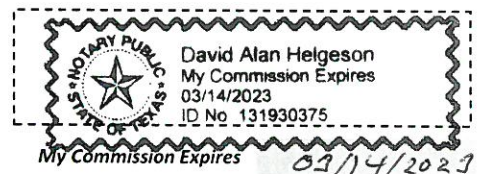
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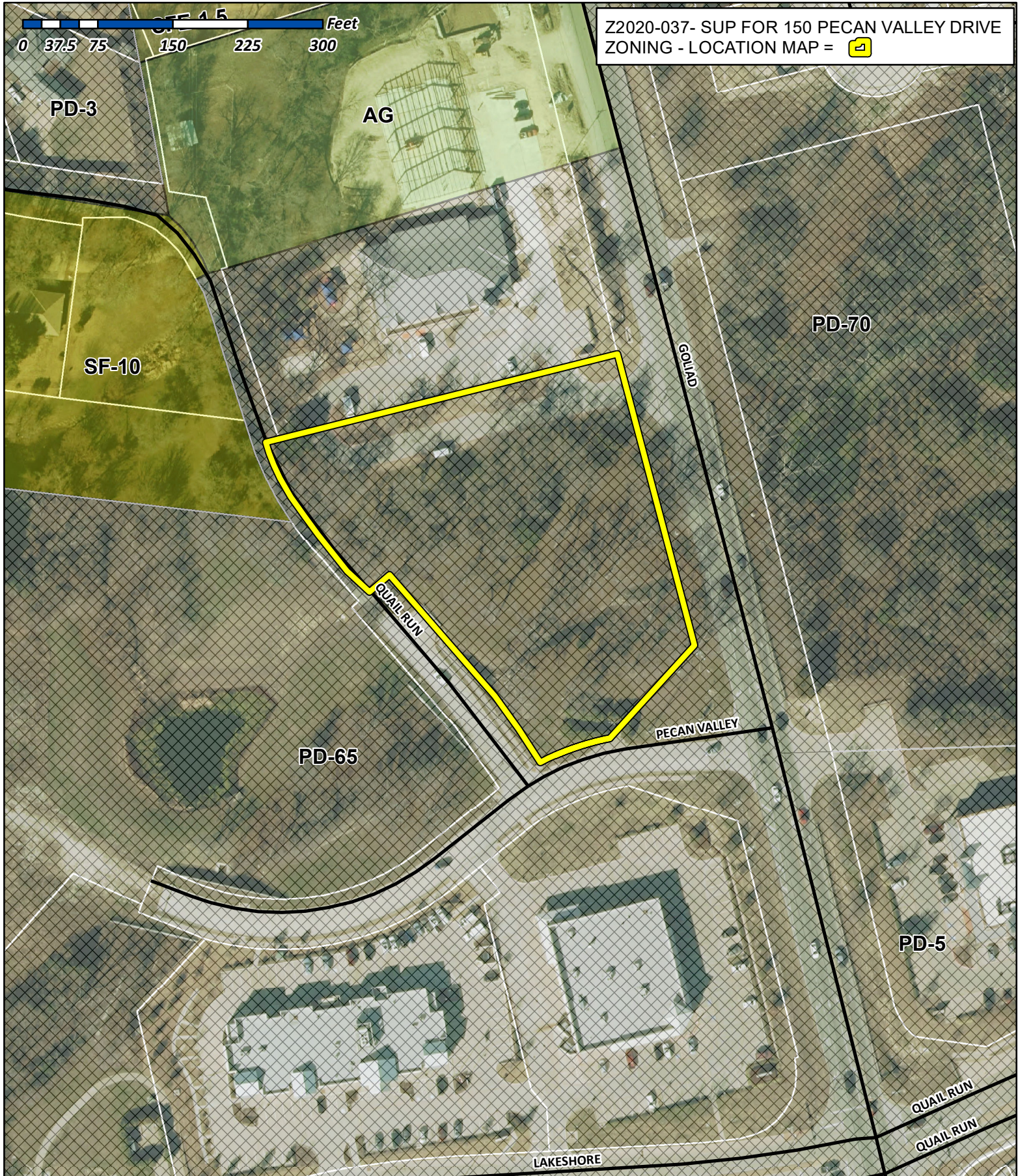
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Owner's Signature

Notary Public in and for the State of Texas







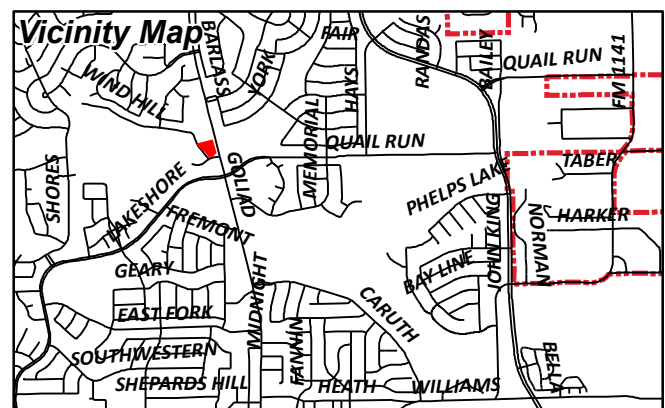
## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.









# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745



ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

M REA PROPERTIES 2 LLC  
1234 TRALEE LN  
GARLAND, TX 75044

PACESETTER HOMES LLC  
14400 THE LAKES BLVD BUILDING C SUITE 200  
AUSTIN, TX 78660

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE  
1823 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L  
1825 HAINSWORTH DR  
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C  
1827 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D  
1830 OAK BEND DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC  
203 E INTERSTATE 30  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2265 NORTH LAKESHORE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CLARK TROY & JANICE  
3025 N GOLIAD ST  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ARRIAGA HENRY  
505 HIDDEN OAK LN  
ROCKWALL, TX 75087

JASMAN JAMES BLAKE  
511 HIDDEN OAK LN  
ROCKWALL, TX 75087

MURRAY NANCY J  
519 HIDDEN OAK LN  
ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC  
6000 UNIVERSITY AVE STE 350  
WEST DES MOINES, IA 50266

GOLIAD REAL ESTATE LLC  
7700 EASTERN AVENUE SUITE 705  
DALLAS, TX 75209

REY LUIS SR AND JUDY L  
806 YORK DR  
ROCKWALL, TX 75087

ODEYEMI ADDETUNJI  
808 YORK DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
825 GOLIAD  
ROCKWALL, TX 75087

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063





**WIER & ASSOCIATES, INC.**  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445

LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

- GENERAL NOTES:
1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

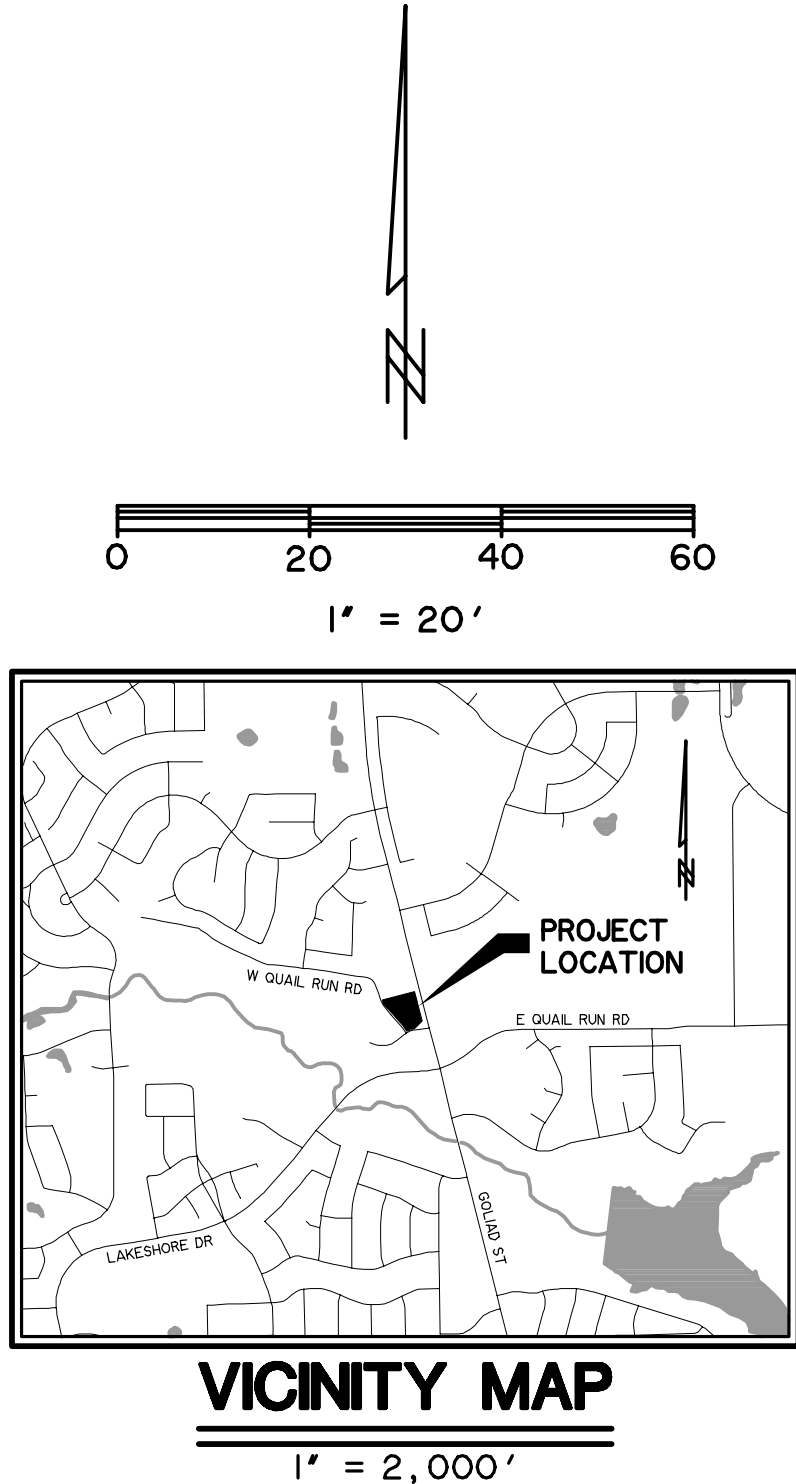
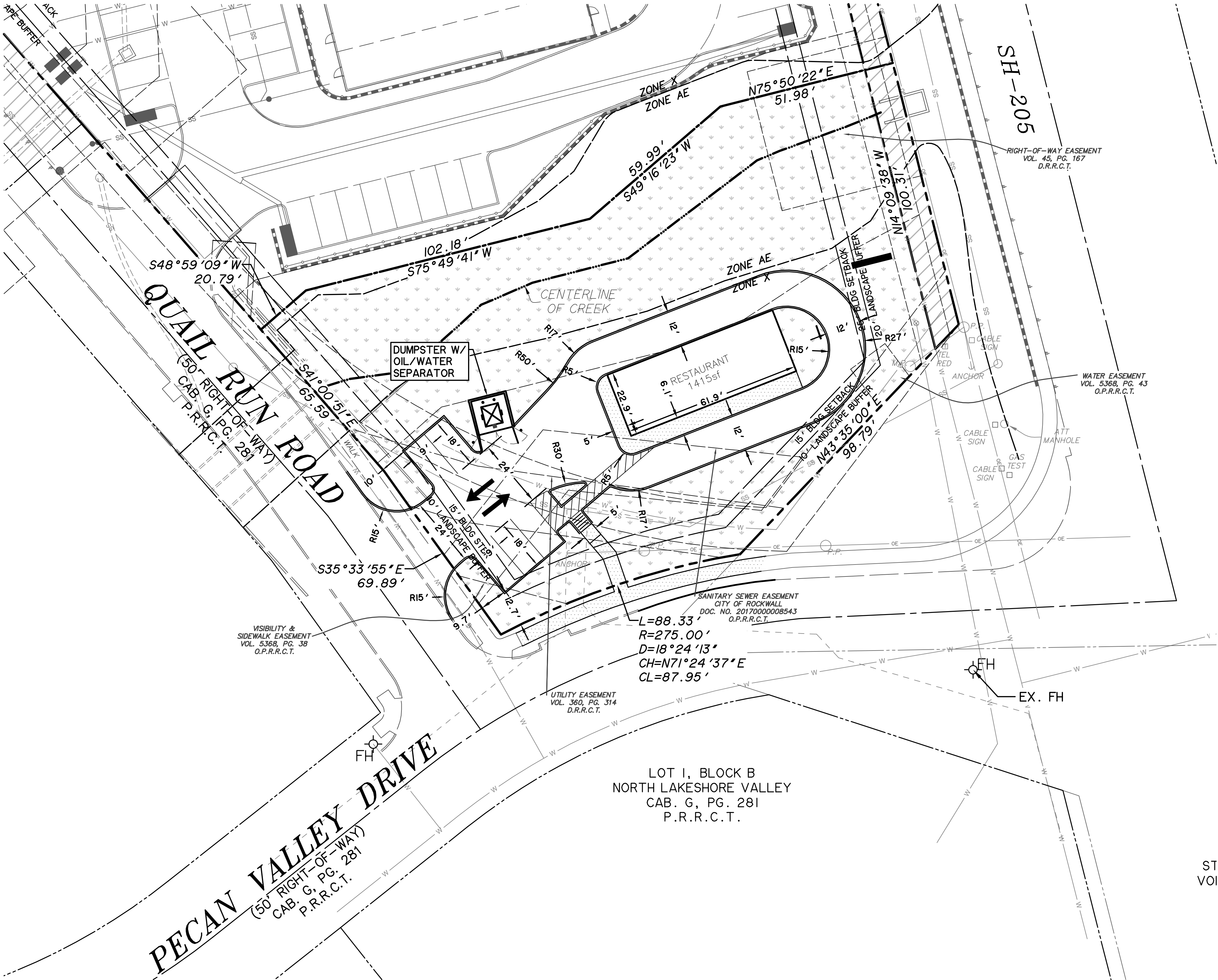
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

August 13, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-XXX

DATE: 8/13/2020  
W.A. No. 19022

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.









STUDIO | DESIGN





STUDIO DESIGN



# PROJECT COMMENTS



CITY OF ROCKWALL  
385 S. GOLIAD STREET  
ROCKWALL, TEXAS 75087  
PHONE: (972) 771-7700

DATE: 8/20/2020

PROJECT NUMBER: Z2020-037  
PROJECT NAME: SUP for 150 Pecan Valley Drive  
SITE ADDRESS/LOCATIONS: 150 PECAN VALLEY DR, ROCKWALL, 75087

CASE MANAGER: Angelica Gamez  
CASE MANAGER PHONE: 972-772-6438  
CASE MANAGER EMAIL: agamez@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Ryan Miller	08/19/2020	Approved w/ Comments

08/19/2020: Z2020-037; Specific Use Permit (SUP) for Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In at 150 Pecan Valley Drive  
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This request is for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, and addressed as 150 Pecan Valley Drive.

I.2 For questions or comments concerning this case please contact Ryan Miller in the Planning Department at (972) 772-6441 or email [rmiller@rockwall.com](mailto:rmiller@rockwall.com).

M.3 For reference, include the case number (Z2020-037) in the lower right-hand corner of all pages on future submittals.

I.4 According to the conditional use standards for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In contained in Article 04, Permissible Uses, of the Unified Development Code (UDC), "(d)rive-through lanes shall not have access to a local residential street."

M.5 Quail Run Road is identified as an R2 (residential, two {2} lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This will require discretionary approval from the City Council pending a recommendation from the Planning and Zoning Commission.

M.6 Please remove all signage from the concept plan exhibit.

I.7 According to Subsection 01.05, Screening Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC), "...these (trash enclosures) shall be located to the side or rear of the primary building and shall not front onto a public street."

M.8 The current location of the dumpster location fronts onto Pecan Valley. This will require a waiver as part of this Specific Use Permit (SUP) request.

I.9 According to the conditional use standards for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In contained in Article 04, Permissible Uses, of the Unified Development Code (UDC), "...stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane."

M.10 Please show the stacking from the point of order to ensure compliance with the requirements of the Unified Development Code (UDC).

M.11 Parking is not permitted to be located within an established landscape buffer. Currently, one (1) of the proposed parking spaces encroaches into the landscape buffer. Please revise the plan to remove all parking spaces from the required landscape buffers.

I.12 According to the Engineering Department's Standards of Design and Construction Manual, the minimum driveway spacing for a driveway on a local roadway from the intersection of a local roadway and an arterial is 100-feet.

M.13 The proposed driveway spacing is currently less than 100-feet from the intersection of Quail Run Road and Pecan Valley Drive and will require a waiver from the City Council pending a recommendation from the Planning and Zoning Commission.

I.14 No trees are permitted within five (5) feet of an existing or proposed utility line. With the number of utility easements adjacent to Pecan Valley Drive and Quail Run Road it may

be difficult for this property to meet the headlight screening requirements and the required landscaping along these roadways. This means that it may be necessary to provide a three (3) foot masonry wall adjacent to the drive-through to provide sufficient headlight screening and to cluster the trees on the site to meet the landscaping requirements. This will need to be done at the time of site plan, and has been added as an operational condition to the draft ordinance.

I.15 The submitted building elevations do not appear to not conform to the General Commercial District Standards or the North SH-205 Overlay (N. SH-205 OV) District standards contained in Article 05, District Development Standards, of the Unified Development Code (UDC). Specifically, the building design does not meet the material, four (4) sided architecture, or articulation/massing requirements. As a result, the proposed building elevations will not be incorporated into the draft ordinance.

I.16 Based on the current plans staff has identified the following waivers associated with this request that will need to be considered by the Planning and Zoning Commission and City Council:

- (1) Driveway spacing.
- (2) Dumpster location.
- (3) Land use conditional standards.

M.17 Please review the City's variance/exception standards contained in Section 09, Exceptions and Variances, in Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC) and provide a letter addressing each requested waiver and indicate the provided or intended off-setting compensatory measures that will be incorporated for this request.

I.18 Please review the attached Draft Ordinance prior to the August 25, 2020 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than September 1, 2020.

I.19 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on September 1, 2020; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the September 15, 2020 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on August 25, 2020.

I.20 The projected City Council meeting dates for this case will be September 21, 2020 (1st Reading) and October 5, 2020 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Jeremy White	08/19/2020	Approved w/ Comments
08/19/2020: I - 4% Engineering fees			
I - Impact fees			
I - Engineering Review fees apply.			
I - Retaining walls 3' and over must be engineered.			
I - All retaining walls to be rock or stone face. No smooth concrete walls.			
I - No walls, structures in easements, including detention.			
I - No trees within 5' of utilities for public utilities less than 10". Trees must be 10' away from public utilities 10" or greater.			
I - Parking against the building and nose-to-nose must be 20'x9'. Other parking must be 18'x9' with 2' clear overhang.			
I - minimum 25' Curb Return radius to street.			
M - Variance for Driveway Spacing on Quail Run.			
I - Dumpster area to drain to oil/water separator then storm lines.			
I - Full panel replacement for water line taps in roadways.			
I - No trees or landscaping in easements along pecan valley			
I - Sidewalk along Pecan Valley			
I - No trees within 5' of water line along SH 205, No trees with 10' from 18" sewer line.			
I - Water available in Pecan Valley			
I - Sewer available in Pecan Valley			
I - Parking to be 18'x9' with 2' clear overhang.			
I - Drive isle must be 24' wide with 10' radius.			
I - Driveway spacing to be 50' minimum from Pecan Valley Label on plans.			
I - Detention is required for the site			
- Run a turning radius analysis to verify that cars can make the turn without backing up.			



I - Will need a Flood Study if touching the floodplain. Review fees are required.

I - Must meet all City Standards of Design and Construction.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	08/18/2020	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Kevin Clark	08/18/2020	Approved w/ Comments
08/18/2020: Approved, unobstructed fire department access (fire lanes) shall be provided such that all portions of the exterior of the building shall be within 150-feet (as the hose lays) of a fire lane and/or other approved fire apparatus access roadway. The path of measurement shall be along a minimum of a ten feet (10') wide unobstructed pathway. Exceptions: The fire code official is authorized to increase the dimension of 150 feet where: (1) The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. (2) Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	08/19/2020	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Ryan Miller	08/20/2020	N/A
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	08/17/2020	Approved w/ Comments
08/17/2020: You will need to provide the following; 1. Tree Mitigation Plan 2. Landscape and Tree Plan 08/19/2020: These will need to be submitted with site plan submittal			



LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

GENERAL NOTES:

1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

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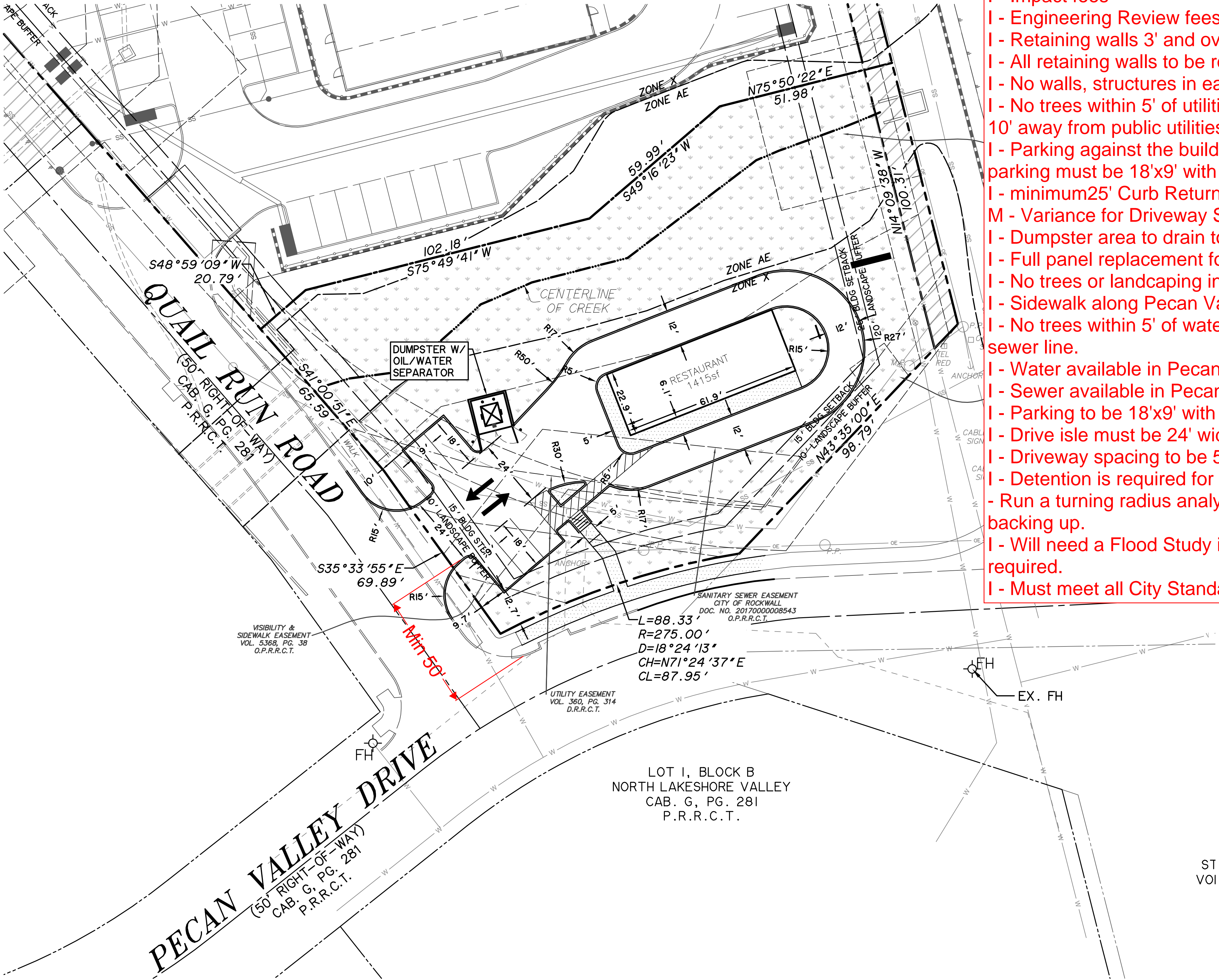
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DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



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- I - Must meet all City Standards of Design and Construction.

BUILDING SETBACKS	HIGHWAY 205: 25'
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NUMBER OF SEATS	1/250 SF = 1415/250 = 6
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SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

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August 13, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-XXX

DATE: 8/13/2020  
W.A. No. 19022

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 150 Pecan Valley Dr

Subdivision A0131, S. King Survey, Tract 1; Pecan Valley Retail Lot 1 Block A

General Location NWC Goliad St & Pecan Valley Dr

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-65 w. N. SH-205 Overlay

Current Use Undeveloped/Vacant

Proposed Zoning PD-65 w. N. SH-205 Overlay

Proposed Use Restaurant w/ Drive-Thru

Acreage 2.246

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ Owner JCDB Goliad Holdings, LLC

☐ Applicant Wier & Associates, Inc.

Contact Person Chad DuBose

Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

City, State & Zip Henderson, TX 75654

Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Cary Albert [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 233.69, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of August, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

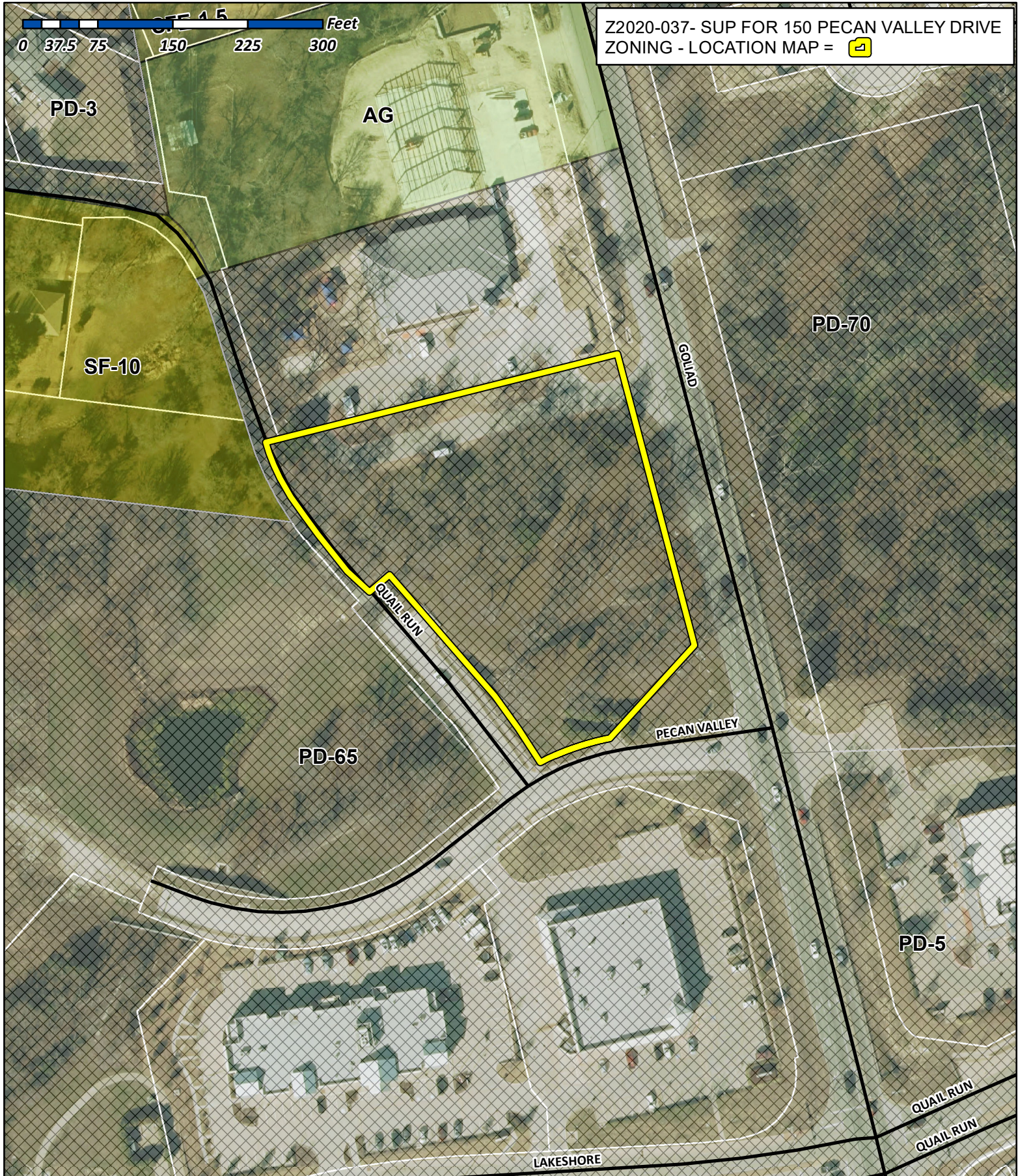
Given under my hand and seal of office on this the 14th day of August, 20 20.

Owner's Signature

Notary Public in and for the State of Texas







## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

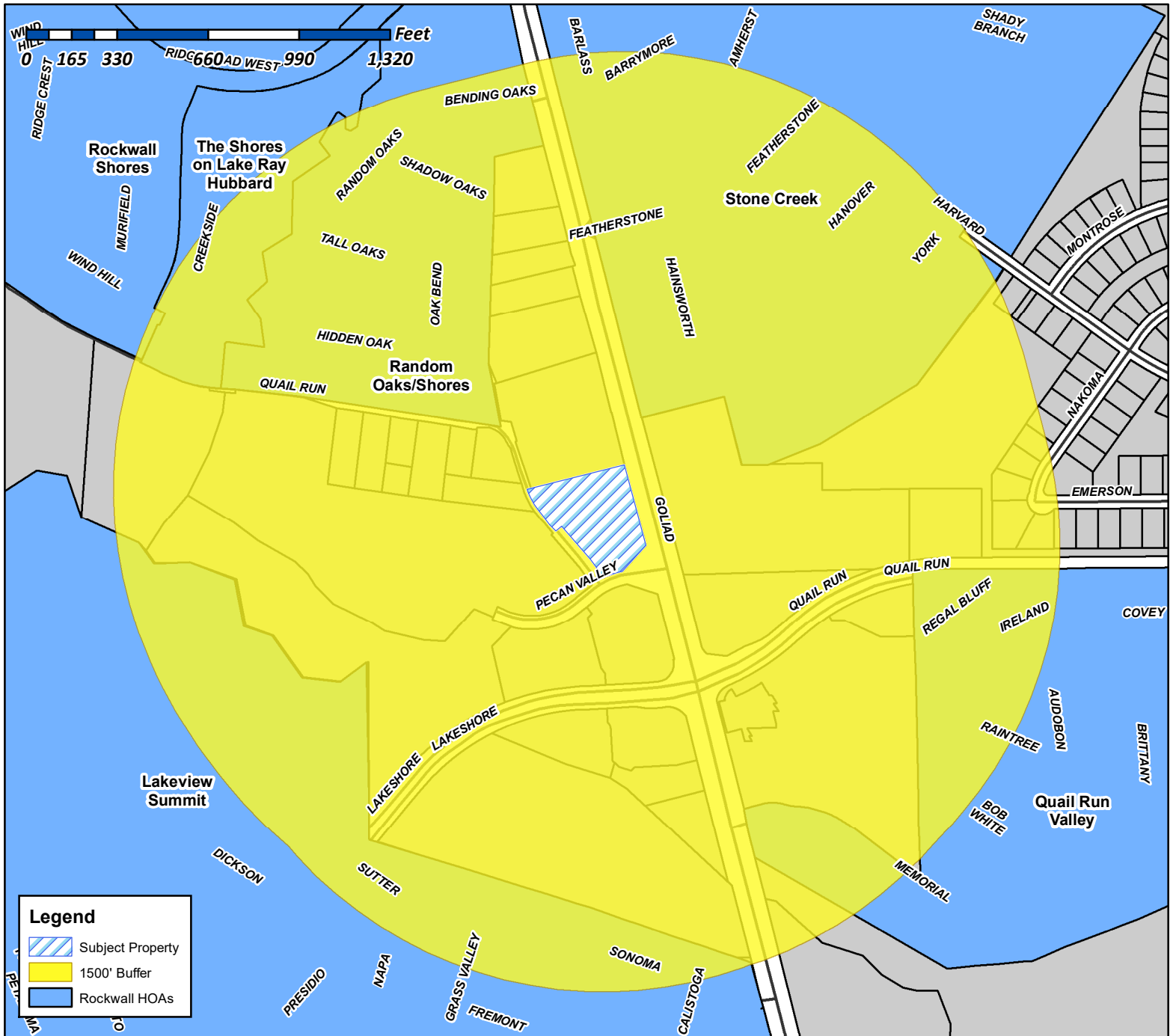
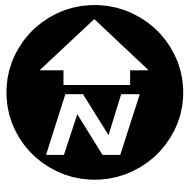




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

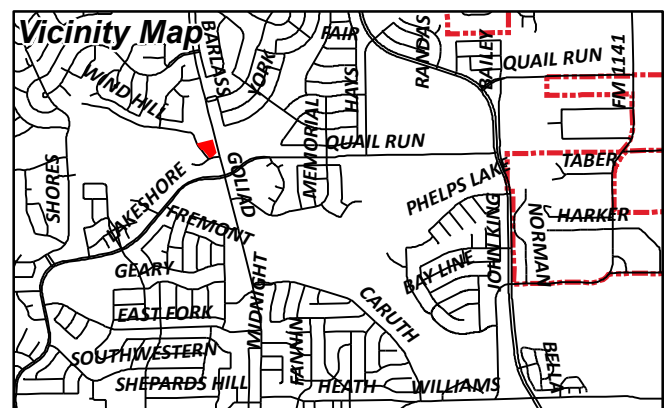
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created: 8/14/2020**

**For Questions on this Case Call (972) 771-7745**



**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, August 18, 2020 4:59:49 PM  
**Attachments:** [HOA Map Z2020-037.pdf](#)  
[Public Notice \(08.18.2020\).pdf](#)

---

HOA/Neighborhood Association Representative:

Per your participation in the [Neighborhood Notification Program](#), you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on [Friday, August 21, 2020](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, September 15, 2020 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, September 21, 2020 at 6:00 PM](#). Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a [Specific Use Permit \(SUP\)](#) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>



---

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# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
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**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

M REA PROPERTIES 2 LLC  
1234 TRALEE LN  
GARLAND, TX 75044

PACESETTER HOMES LLC  
14400 THE LAKES BLVD BUILDING C SUITE 200  
AUSTIN, TX 78660

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE  
1823 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L  
1825 HAINSWORTH DR  
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C  
1827 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D  
1830 OAK BEND DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC  
203 E INTERSTATE 30  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2265 NORTH LAKESHORE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CLARK TROY & JANICE  
3025 N GOLIAD ST  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ARRIAGA HENRY  
505 HIDDEN OAK LN  
ROCKWALL, TX 75087

JASMAN JAMES BLAKE  
511 HIDDEN OAK LN  
ROCKWALL, TX 75087

MURRAY NANCY J  
519 HIDDEN OAK LN  
ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC  
6000 UNIVERSITY AVE STE 350  
WEST DES MOINES, IA 50266

GOLIAD REAL ESTATE LLC  
7700 EASTERN AVENUE SUITE 705  
DALLAS, TX 75209

REY LUIS SR AND JUDY L  
806 YORK DR  
ROCKWALL, TX 75087

ODEYEMI ADETUNJI  
808 YORK DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
825 GOLIAD  
ROCKWALL, TX 75087

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063





**WIER & ASSOCIATES, INC.**  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445

LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

- GENERAL NOTES:
1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

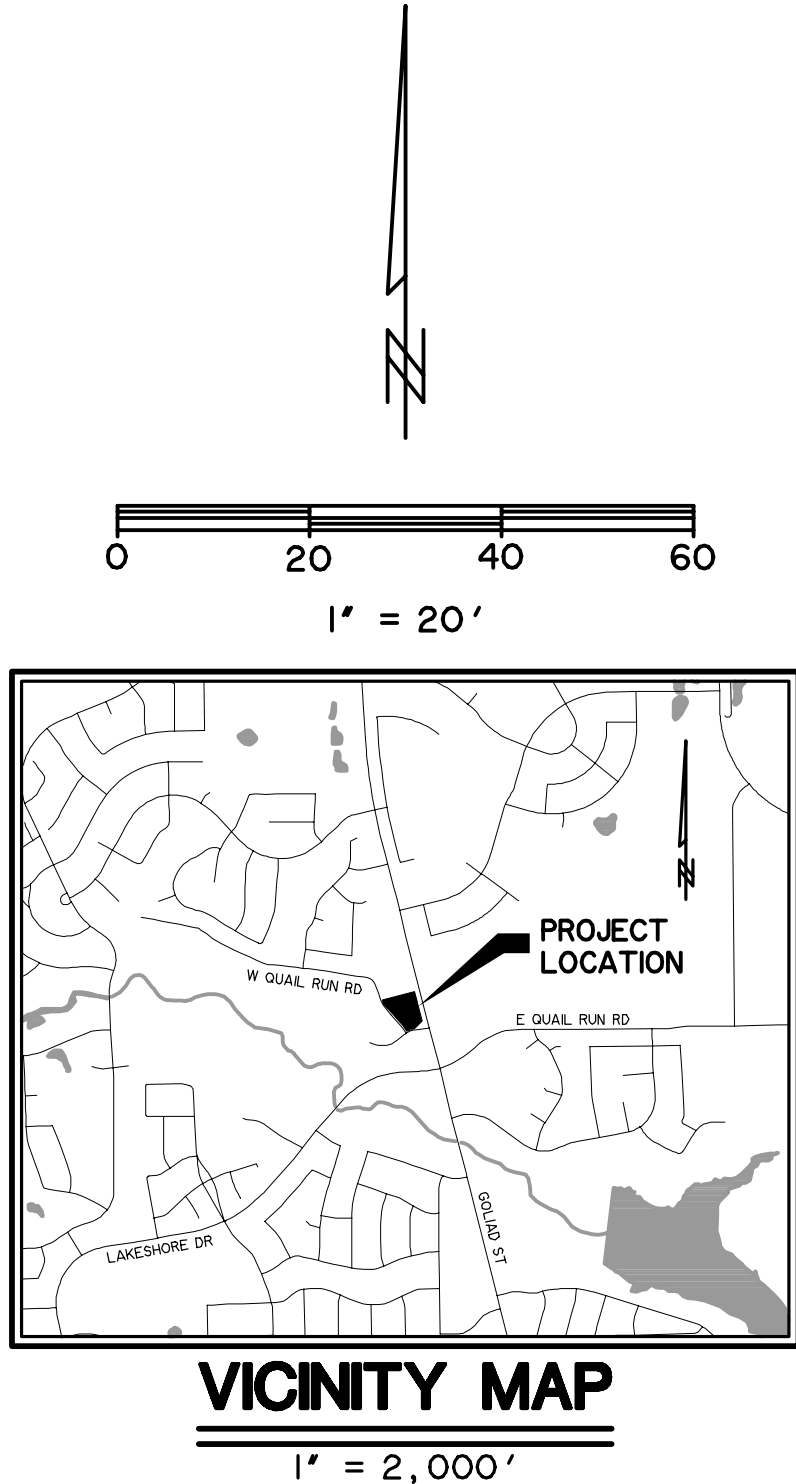
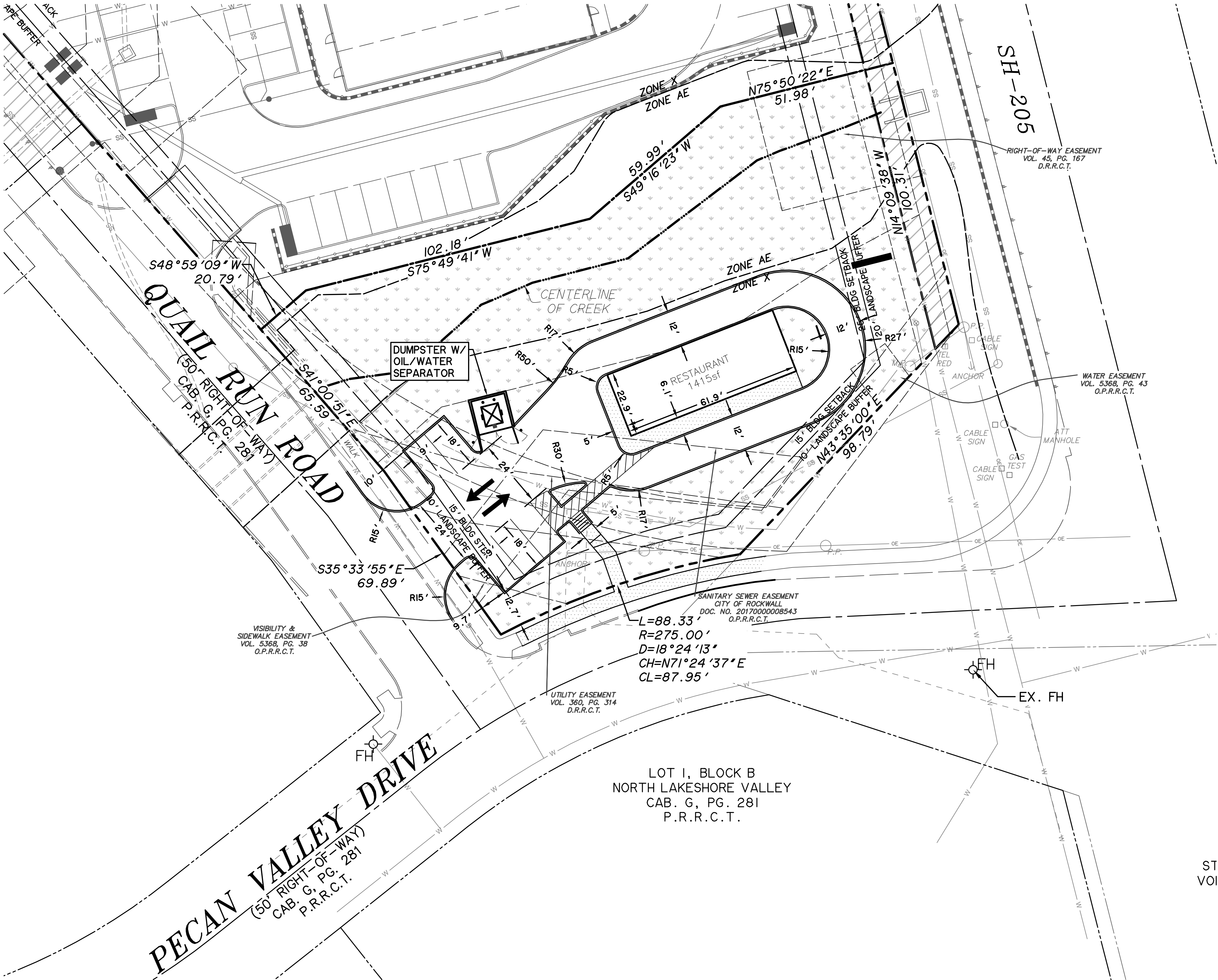
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

August 13, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-XXX

DATE: 8/13/2020  
W.A. No. 19022

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.





STUDIO | DESIGN





STUDIO | DESIGN





STUDIO DESIGN



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 17-03] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 1 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Casey Orr, PE of Wier & Associates, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [Ordinance No. 17-03] for General Retail (GR) District land uses, addressed as 105 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 65 (PD-65) [Ordinance No. 17-03] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 65 (PD-65) [Ordinance No. 17-03] and the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,



**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [Ordinance No. 17-03]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along *Pecan Valley Drive* and *N. Goliad Street* to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed restaurant.

## **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

---

Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: September 21, 2020

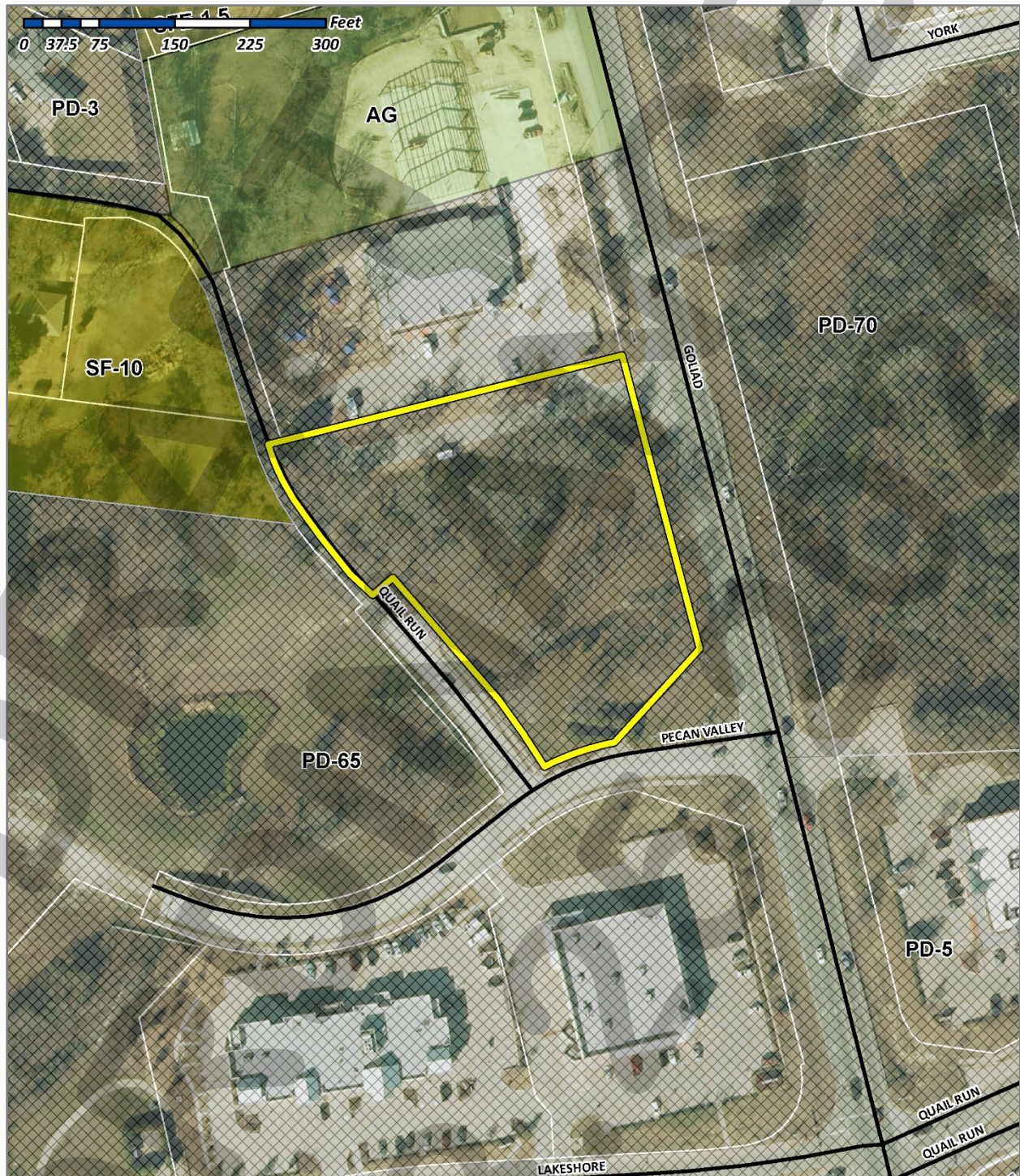
2<sup>nd</sup> Reading: October 5, 2020



**Exhibit 'A'**  
**Location Map and Legal Description**

Address: 105 Pecan Valley Drive

Legal Description: Tract 1 of the S. King Survey, Abstract No. 131





**Exhibit 'A'**  
*Location Map and Legal Description*

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- (1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- (2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

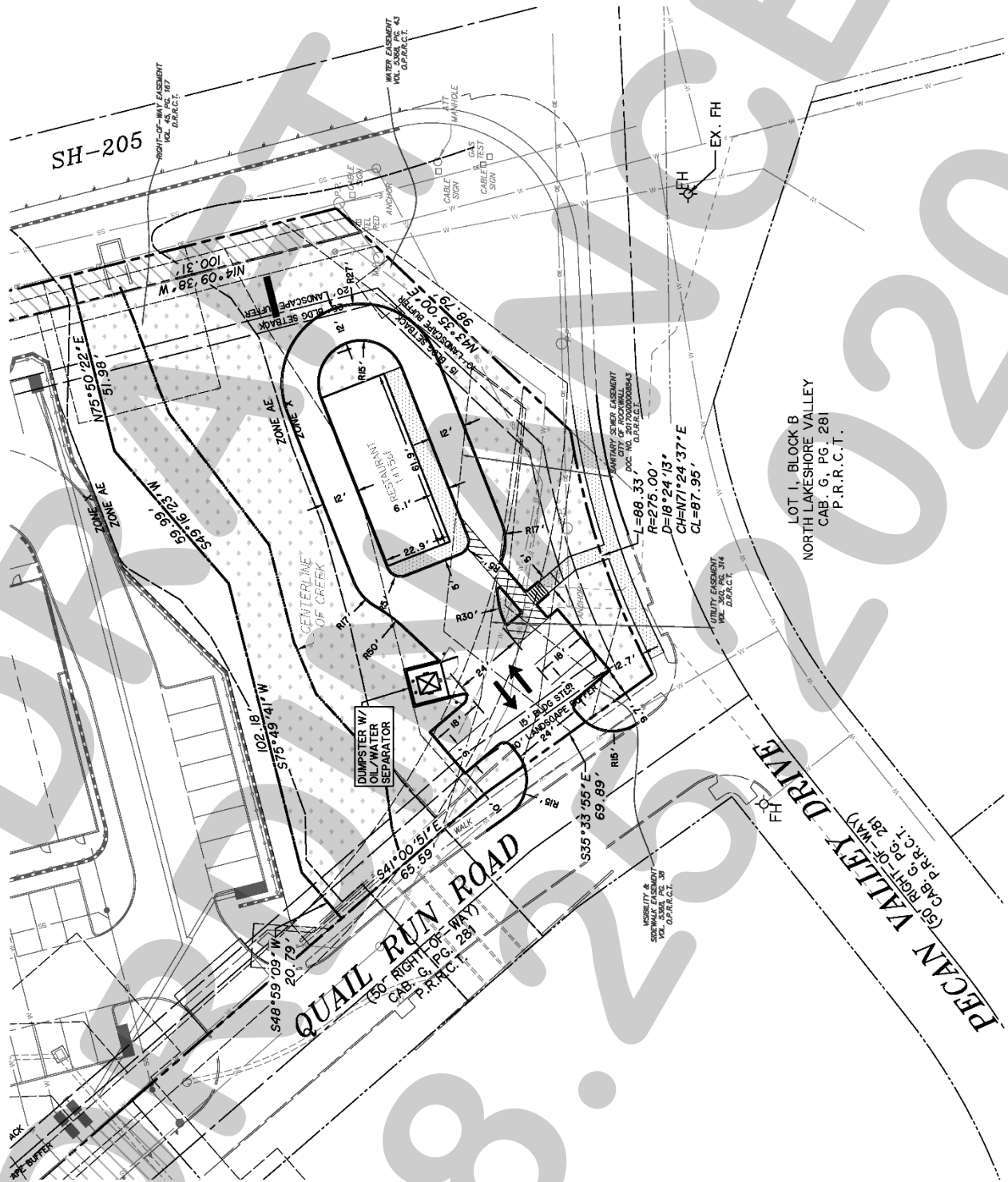
THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.



**Exhibit 'B':**  
**Concept Plan**







## CITY OF ROCKWALL

### PLANNING AND ZONING COMMISSION CASE MEMO

#### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**TO:** Planning and Zoning Commission

**DATE:** September 15, 2020

**APPLICANT:** Casey Orr, PE; *Wier & Associates, Inc.*

**CASE NUMBER:** Z2020-037; *Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive*

---

#### SUMMARY

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

#### BACKGROUND

The subject property -- *which is a portion of a larger 2.356-acre tract of land* -- was annexed into the City of Rockwall on February 3, 1961 by *Ordinance No. 61-02*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The property would remain zoned Agricultural (AG) District until January 3, 2006 when the City Council approved Planned Development District 65 (PD-65) [*Ordinance No. 06-02; Case No. Z2004-037*]. This Planned Development District designated the subject property for General Retail (GR) District land uses. Since the establishment of Planned Development District 65 (PD-65), the Planned Development District has been amended three (3) times (*i.e. Ordinance No.'s 08-02, 10-28, & 17-03*); however, the designation of the subject property has remained for General Retail (GR) District land uses.

On July 9, 2019, the 2.356-acre tract of land -- *of which the 0.579-acre subject property is a part of* -- was approved for a site plan [*Case No. SP2019-023*] for an ~11,000 SF strip retail building. This portion of the tract of land is currently under construction, and physically separated from the subject property by flood plain that traverses the tract of land from N. Goliad Street to Pecan Valley Drive/Quail Run Road. Submitted concurrently with the site plan request for the 2.356-acre tract of land, was a Specific Use Permit (SUP) application for a *Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In* on the subject property [*Case No. Z2019-014*]; however, this request was ultimately withdrawn by the applicant on August 6, 2019. In addition, a final plat [*Case No. P2020-034*] was submitted for the entire 2.356-acre tract of land (*i.e. including the subject property*) and is currently being run concurrently with this case.

On June 19, 2020, the applicant had previously submitted same request as to what is being proposed currently (*i.e. for a Specific Use Permit [SUP] for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In*) under *Case No. Z2020-026*. This request was presented to the Planning and Zoning Commission on July 14, 2020, and was unanimously recommended for denial by a vote of 6-0, with Commissioner Moeller absent. Based on this, the applicant requested that the City Council withdraw the case. This withdraw request was approved by the City Council on July 20, 2020 by a vote of 7-0. After this action, the applicant resubmitted an application for the same request (*i.e. for a Specific Use Permit [SUP] for a restaurant, less than 2,000 SF, with drive-through or drive-in*). The only new materials provided with the reapplication were renderings of the building, an indication that the restaurant would be a *Smoothie King*, and a concept plan showing the inclusion of a walking trail.



## PURPOSE

The applicant -- *Casey Orr, PE of Wier & Associates, Inc.* -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* for the purpose of developing a restaurant (*i.e. Smoothie King*) on the subject property.

## ADJACENT LAND USES AND ACCESS

The subject property is addressed as 150 Pecan Valley Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a ~11,000 SF strip retail building on the same tract of land as the subject property. This building is currently under construction and is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is a daycare facility (*i.e. Children's Lighthouse Daycare*) situated on a 3.543-acre parcel of land (*i.e. Lot 1, Block A, Children's Lighthouse Addition*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses and Agricultural (AG) District. The Agricultural (AG) District portion of this property has a Specific Use Permit (SUP) for a daycare facility (*i.e. S-140; Ordinance No. 15-22*).

South: Directly south of the subject property is Pecan Valley Drive, which is designated as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. Walgreens Pharmacy*) situated on a 1.9894-acre parcel of land (*i.e. Lot 1, Block B, North Lakeshore Valley*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is N. Lakeshore Drive, which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is N. Goliad Street [SH-205], which is designated as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. CVS Pharmacy*) situated on a 2.519-acre parcel of land (*i.e. Lot 1R, Block B, Quail Run Retail*), which is zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses. Also, east of the subject property is a 62.484-acre tract of land (*i.e. Tract 3 of the S. King Survey, Abstract No. 131*) that is zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses.

West: Directly west of the subject property is Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an 11.723-acre tract of vacant land (*i.e. Tract 5 of the S. King Survey, Abstract No. 131*) that is owned by the City of Rockwall and zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses.

## CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a 1,415 SF limited service restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented toward S. Goliad Street, but will have only one (1) point of ingress/egress that will be on Quail Run Road. The drive-through lane will wrap around the building, and will not incorporate a *bailout* lane. The *food delivery/payment window* will be oriented north toward the floodplain and adjacent strip retail building, and the *restaurant ordering board* (*i.e. the point of order*) will be oriented facing directly onto N. Goliad Street approximately 37-feet from the right-of-way. In addition, the concept plan depicts eight (8) vehicles being able to be cued in the drive-through lane (*i.e. five [5] vehicles between the food delivery/payment window and the restaurant ordering board and three [3] vehicles behind the vehicle at the restaurant ordering board*) with headlight screening being included along N. Goliad Street. The concept plan also shows the provision of five (5) parking spaces and the location of trash dumpster enclosure.



## CONFORMANCE WITH THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant Less Than 2,000 SF with a Drive-Through or Drive-In* land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lands for drive-through service window (*i.e. the food delivery/payment window*) shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted site plan does show conformance to the minimum stacking requirements and provides shrubs along N. Goliad Street to help impair the visibility of headlights; however, the proposed concept plan shows the business making use of Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) or a residential street on the Master Thoroughfare Plan. In considering this non-conformity, it is important for staff to point out that the strip retail center currently being built north of the subject property already has a drive approach off of Quail Run Road, and that commercial traffic will be utilizing this portion of the roadway regardless of if this Specific Use Permit (SUP) is approved. It should also point out that additional landscaping -- *above and beyond what is depicted on the concept plan* -- will need to be provided to sufficiently screen the headlights of vehicles in the drive-through lane. Staff should also note that due to existing easements on the site, it may be difficult for the applicant to provide the required landscaping necessary to screen the headlights shining on to N. Goliad Street. If this proves to be the case, a three (3) foot masonry wall can be incorporated adjacent to the drive-through lane to achieve the same screening. This can be determined on the *Landscape Plan* submittal with the *Site Plan*, and an operation condition addressing this issue has been added to the attached draft ordinance.

In addition to not meeting the land uses standards, another issue with the proposed drive approach on Quail Run Road is its distance to the intersection of Pecan Valley Drive and Quail Run Road. According to the Engineering Department's *Standards of Design and Construction*, the minimum driveway spacing from an intersection of a R2 (*i.e. residential, two [2] lane, undivided roadway*) and a *Collector* is 100-feet. In this case, the driveway spacing is 37-feet from the intersection of Quail Run Road and Pecan Valley Road and the southernmost point of the proposed drive approach.

According to the City's parking requirements contained in Article 06, *Parking and Loading*, of the Unified Development Code (UDC), a *limited service restaurant* carries a parking requirement of one (1) parking space per 250 SF of building area. In this case, this would translate to a minimum of six (6) parking space (*i.e. 1,415 SF/250 SF = 5.66 or 6 parking spaces*). The proposed concept plan currently only depicts five (5) parking spaces. In addition, Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), states "...enclosures shall be located to the side or rear of the primary buildings, and shall not front on to a public right-of-way." In this case, the proposed trash enclosure fronts onto Pecan Valley Drive and would need a variance to this requirement.

Finally, staff should point out that as part of this amended request the applicant -- *unsolicited by staff* -- has incorporated a trail system that was not on the original, resubmitted concept plan. Since this was provided by the applicant it will be a requirement of the Specific Use Permit (SUP) ordinance; however, a portion of this trail system shows to be running into the 100-year floodplain. In order to do this, the applicant will need to perform a Flood/Waters of the United States Study and provide an updated tree mitigation plan for the site. This has been added as a condition of approval in the *Recommendation* section of this case memo.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District and Planned Development District 65 (PD-65). The submitted building renderings will be subject to both the requirements of the N. SH-205 Overlay (N. SH-205 OV) District and review by the Architectural Review Board (ARB) at the time of site plan. Based on this, these elevations are not being proposed to be tied down as part of this case.



## **STAFF ANALYSIS**

Due to the site constraints of this particular property, it would be difficult for the applicant to meet the compensatory requirements -- *which are stipulated by the Unified Development Code (UDC)* -- needed to off-set the variances depicted on the applicant's concept plan. As a result, the following waivers/variances need to be considered as part of this Specific Use Permit (SUP) request:

- (1) A variance to the locational requirements for a trash enclosure.
- (2) A variance to the parking requirements to reduce the parking from the required six (6) parking spaces to five (5) parking spaces.
- (3) A waiver to the driveway spacing requirements to allow a drive approach to be 37-feet away from the intersection of a collector and a residential roadway.
- (4) A waiver to allow a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* to only have access on to a residential roadway.

As previously stated, the strip retail center to the north -- *which is located on the same tract of land as the subject property* -- also has a drive approach on to Quail Run Road; however, this development also has an approach on to SH-205, which the subject property is not capable of. This means that all traffic generated on the subject property will have to make use of Quail Run Road.

It may also be material for staff to note that when the applicants originally met with staff about the strip retail center, staff informed the applicants that due to the site constraints (*i.e. flood plain, easements, buildable area, frontage on three [3] roadways, etc.*) it would be difficult for a building to be constructed on this portion of the property. Staff also explained that it was unsafe to allow a drive approach off of N. Goliad Street, Pecan Valley Drive, and/or Quail Run Road. At that time, the applicants were proposing a plan that showed a bridge connecting the subject property to the remainder of the tract (*i.e. where the strip retail center is being constructed*). Since this time, the applicant has attempted three (3) submittals on this property, all of which have been for limited service restaurants. Two (2) of these applications were withdrawn, with one (1) being withdrawn after the work session with the Planning and Zoning Commission and one (1) being withdrawn after the Planning and Zoning Commission's recommendation of denial. With all of this being said, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On August 15, 2020, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Shore on Lake Ray Hubbard, Random Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit Homeowners Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 13 responses (*i.e. eight (8) emails and five (5) property owner notifications*) opposed to the applicant's request and one (1) property owner notification in favor of the applicants request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. Smoothie King*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the draft ordinance.



- (b) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along Pecan Valley Drive and N. Goliad Street to provide headlight screening for vehicles traveling along N. Goliad Street from vehicles in the drive-through and cueing lanes of the proposed restaurant.
- (2) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (3) The approval of this Specific Use Permit (SUP) will waive the driveway spacing requirements for a drive approach on a residential street as stipulated in the Engineering Department's *Standards of Design and Construction Manual*.
- (4) The approval of this Specific Use Permit (SUP) will constitute a variance to the minimum parking requirements for a *limited service restaurant* as stipulated by Section 06.05, *Off-Street Loading Requirements*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) to allow five (5) parking spaces in lieu of the six (6) required parking spaces.
- (5) The approval of this Specific Use Permit (SUP) will constitute a variance to the dumpster enclosure orientation requirements stipulated by Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow the dumpster enclosure to be oriented toward a public right-of-way.
- (6) A Floodplain/Waters of the United States Study and updated tree mitigation plan will need to be submitted prior to establishing the trail in the floodplain.
- (7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

## Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

## Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

## Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

## Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

## Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 150 Pecan Valley Dr

Subdivision A0131, S. King Survey, Tract 1; Pecan Valley Retail Lot 1 Block A

General Location NWC Goliad St & Pecan Valley Dr

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-65 w. N. SH-205 Overlay

Current Use Undeveloped/Vacant

Proposed Zoning PD-65 w. N. SH-205 Overlay

Proposed Use Restaurant w/ Drive-Thru

Acreage 2.246

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ Owner JCDB Goliad Holdings, LLC

☐ Applicant Wier & Associates, Inc.

Contact Person Chad DuBose

Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

City, State & Zip Henderson, TX 75654

Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Cary Albert [Owner] the undersigned, who stated the information on this application to be true and certified the following:

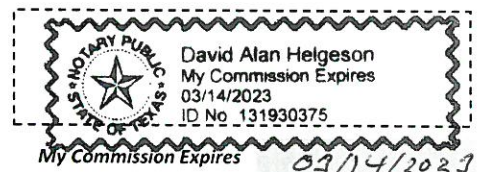
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 233.69, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of August, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 14th day of August, 20 20.

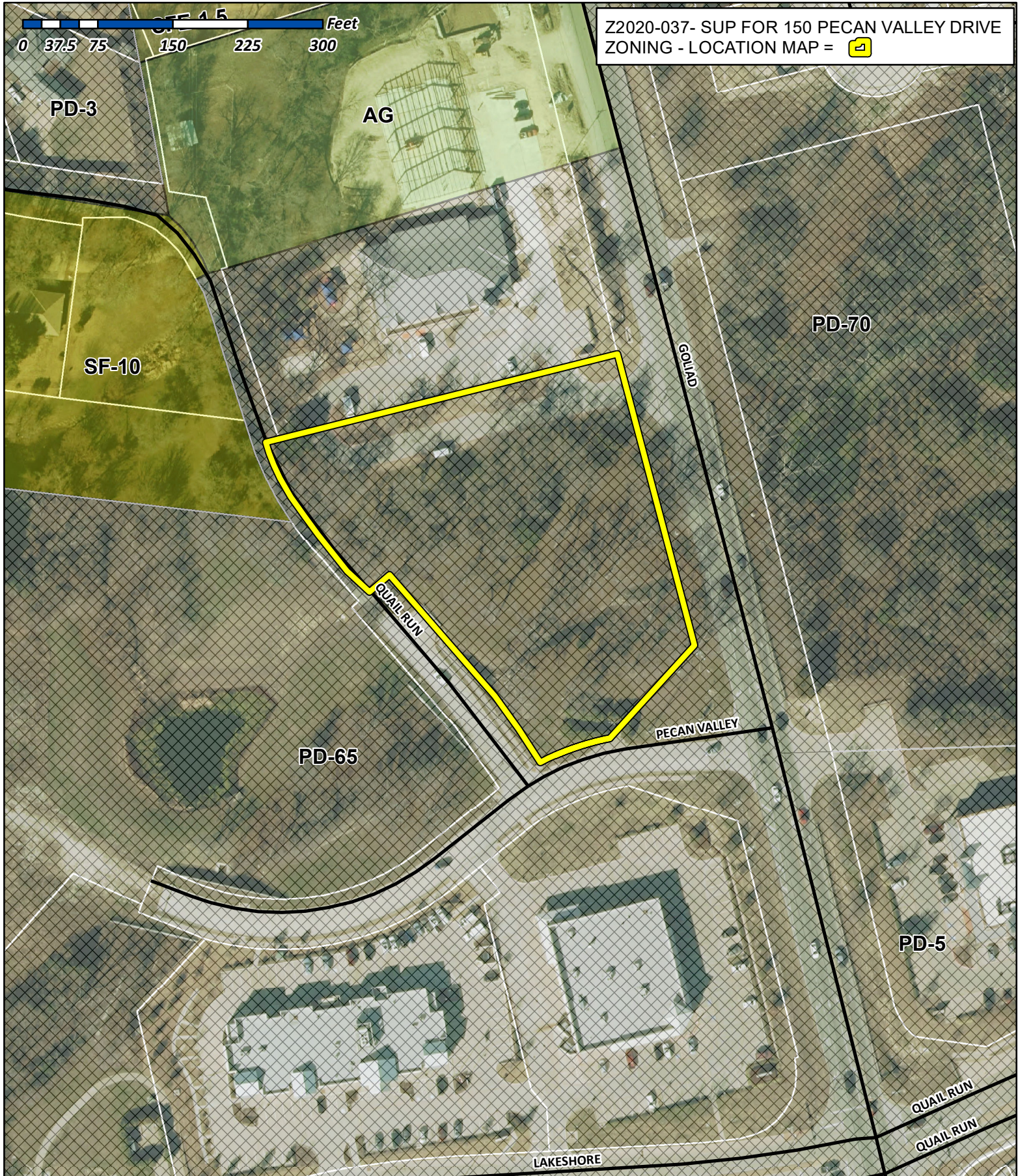
Owner's Signature

Cary Albert

Notary Public in and for the State of Texas







## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

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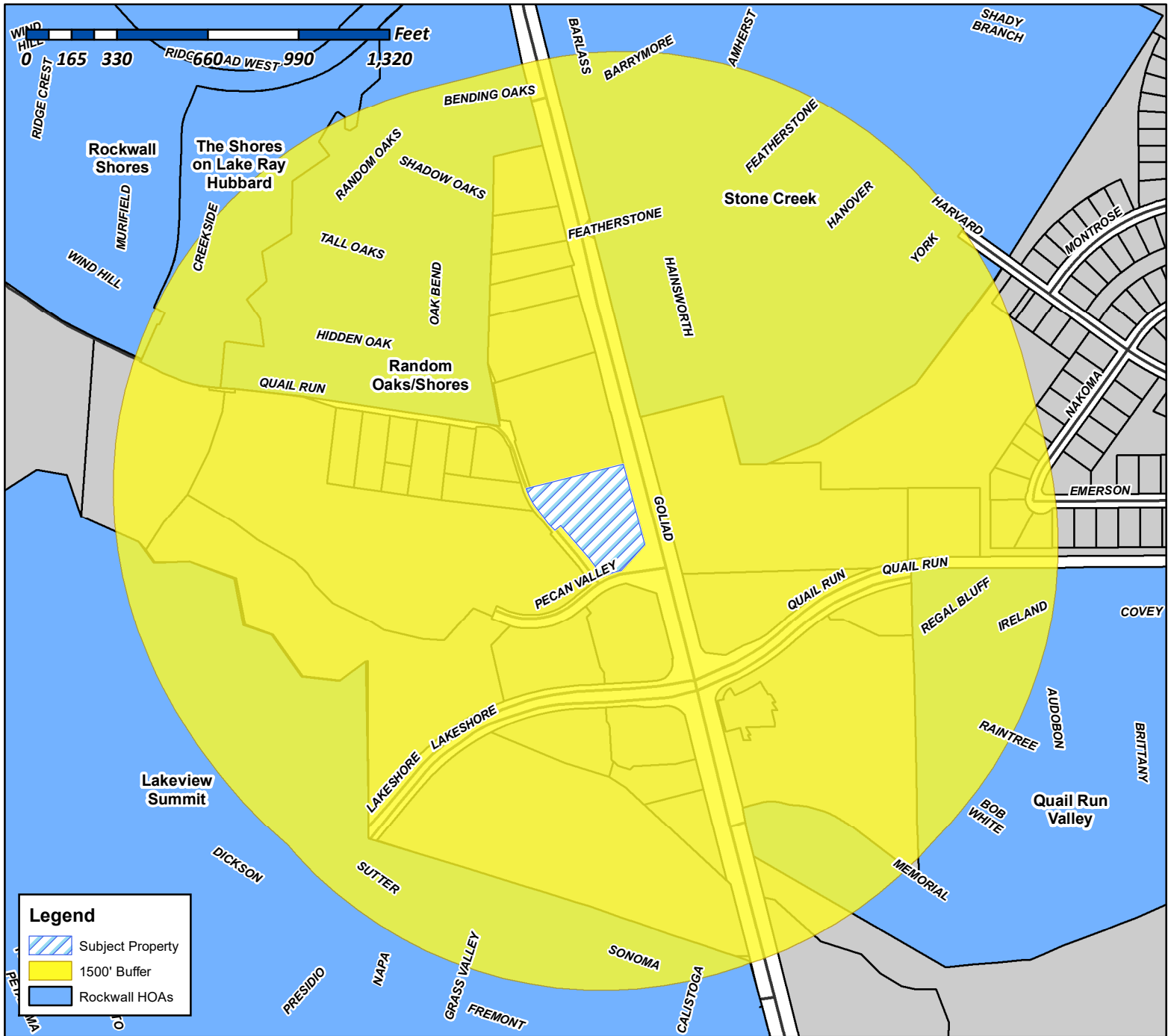




# City of Rockwall

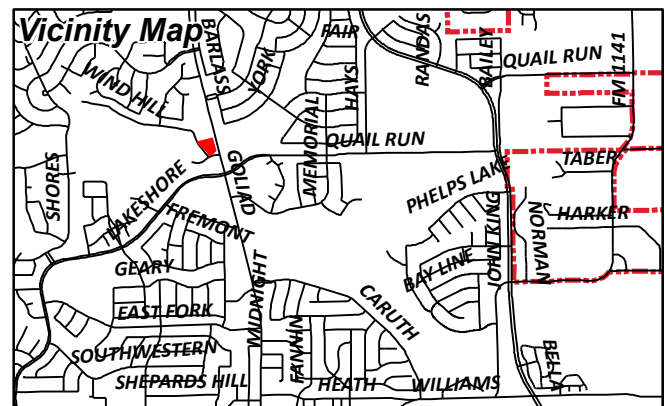
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, August 18, 2020 4:59:49 PM  
**Attachments:** [HOA Map Z2020-037.pdf](#)  
[Public Notice \(08.18.2020\).pdf](#)

---

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, August 21, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

M REA PROPERTIES 2 LLC  
1234 TRALEE LN  
GARLAND, TX 75044

PACESETTER HOMES LLC  
14400 THE LAKES BLVD BUILDING C SUITE 200  
AUSTIN, TX 78660

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE  
1823 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L  
1825 HAINSWORTH DR  
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C  
1827 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D  
1830 OAK BEND DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC  
203 E INTERSTATE 30  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2265 NORTH LAKESHORE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CLARK TROY & JANICE  
3025 N GOLIAD ST  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ARRIAGA HENRY  
505 HIDDEN OAK LN  
ROCKWALL, TX 75087

JASMAN JAMES BLAKE  
511 HIDDEN OAK LN  
ROCKWALL, TX 75087

MURRAY NANCY J  
519 HIDDEN OAK LN  
ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC  
6000 UNIVERSITY AVE STE 350  
WEST DES MOINES, IA 50266



GOLIAD REAL ESTATE LLC  
7700 EASTERN AVENUE SUITE 705  
DALLAS, TX 75209

REY LUIS SR AND JUDY L  
806 YORK DR  
ROCKWALL, TX 75087

ODEYEMI ADETUNJI  
808 YORK DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
825 GOLIAD  
ROCKWALL, TX 75087

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

*Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

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Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

— . . . PLEASE RETURN THE BELOW FORM — . . . . .

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

**Please place a check mark on the appropriate line below:**

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.


Name:	
Address:	

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)



## Gamez, Angelica

---

**From:** Al Estrada <alrestrada@gmail.com>  
**Sent:** Wednesday, August 19, 2020 6:02 PM  
**To:** Planning  
**Subject:** Z20-20 037

Ladies and Gentlemen,

After careful consideration, it is my recommendation for this plan not to move forward with this proposal in this location.

The current traffic jams already produced by the current corner occupants on Goliad and Lakeview, in addition to the increase in traffic accidents will only become worse.

Respectfully submitted,

Al Estrada  
748 Monterey Drive  
ROCKWALL  
TX 75087  
713 829 0701

Lakeview Summit

---

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## Gamez, Angelica

---

**From:** Thomas Campion <thomas.campion@outlook.com>  
**Sent:** Wednesday, August 19, 2020 11:49 AM  
**To:** Planning  
**Subject:** Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

To whom it may concern,

Do we have to knock down all the trees just to get another random fast food joint? It seems like plenty of space exists next to and behind McDonalds. If trees have to be cleared I would prefer a healthier establishment take their place such as a sprouts for example.

Thomas R. Campion  
Resident Stone Creek Estates  
108 Chatfield Drive  
Rockwall, TX 75087

**From:** Homeowner Association <Email\_Alert@calibersoftware.email>  
**Sent:** Wednesday, August 19, 2020 11:19 AM  
**To:** thomas.campion@outlook.com  
**Subject:** Neighborhood Notification Program Notice

Dear Residents-

Please see below for a notice from the City of Rockwall regarding a zoning case near Stone Creek Estates HOA.

"Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *Friday, August 21, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, September 15, 2020 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 21, 2020 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive**

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a *Specific Use Permit (SUP)* for *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King



Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

Planning & Zoning  
City of Rockwall  
972.771.7745 Office  
<http://www.rockwall.com/planning/>

***Brittany Maxwell***  
**Community Association Manager**  
**Neighborhood Management, Inc.**  
1024 S. Greenville Ave, Suite 230 | Allen, TX 75002  
Direct 972-359-1548 X 230  
**Website**      **Click & Share Your Experience**



**AAMC®- Accredited Association Management Company®**

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**From:** [Debe Hyde](#)  
**To:** [Planning](#)  
**Subject:** Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive  
**Date:** Saturday, August 22, 2020 9:17:54 PM

---

Good day to you!

My name is Trent Hyde and I live at 218 West Quail Run Road, Rockwall.

With regard to Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive - **I am OPPOSED to the request for the reasons listed below:**

I have lived in Rockwall for over 20 years and in that time have watched Planning & Zoning just approve to fill up every little space of the once quiet area of Quail Run / Lakeshore Drive. This is destroying the integrity and the small town feel of Rockwall to add yet another restaurant to Rockwall.

Have you ever tried to turn left from Pecan Valley Drive onto Highway 205 at any time of the day? It's close to impossible and extremely dangerous. I ask you to try it, especially during high traffic hours.

Please, we are pleading, do not approve any establishment to be built on this corner. You will just be adding one more problem to the chaos. Thank you for your consideration!

Trent Hyde  
214-924-9061

---

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**From:** [Ed Mahoney](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037 Smoothie King  
**Date:** Thursday, August 20, 2020 10:35:03 AM

---

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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**From:** [J.Chastain](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037  
**Date:** Sunday, August 23, 2020 7:11:27 AM

---

If like to express my concern with putting another drive through at the corner of lakeshore and 205. Morning traffic consistently backs up at this intersection all the way to the shores entrance. Bringing more people to this intersection will cause a lot of problems. Especially those who come North and have to pass through the line of cars as they try to turn left into this drive through. Not only is it an eye sore that they took down a beautiful Grove of trees but all of this cheap big chain fast food really downgrades rockwalls old charm. The original zoning was there for a reason. Rockwall was a well built city that preserved itself in it's correct areas. Please don't let that be degraded by some money hungry developers looking to make a quick dollar on any 20 square feet they can get there hands on.

---

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## Gamez, Angelica

---

**From:** Ed Mahoney <saildrambuie@sbcglobal.net>  
**Sent:** Thursday, August 20, 2020 10:35 AM  
**To:** Planning  
**Subject:** Z2020-037 Smoothie King

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Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

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Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Please do not remove the little left of what was once a beautiful area.  
This intersection is already over loaded with traffic. Do not add more.  
Leave what is left for the children and family who use it to walk.  
Let those wanting to make another million go some where else. Leave the area.

Name: Lanty W. Dean  
Address: 216 W. Duval Park Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Lanty W. Dean



## Gamez, Angelica

---

**From:** Marshall Brown <marshbrown@gmail.com>  
**Sent:** Wednesday, August 19, 2020 3:30 PM  
**To:** Planning  
**Subject:** Case Z2020-037

Greetings,

I'm writing this email in protest of Planning Case Z2020-037. I disagree with a drive through establishment in this area. Not only did a nice grove of trees get torn down for development, but a Smoothie King is not what is needed. If we want to keep that Rockwall small town feel, we should be promoting more restaurants where people can hang out. Bring some of the downtown feel to the Lakeshore/205 area instead.

There's a good walking path nearby. Maybe we could model the area to cater to more pedestrian traffic to alleviate the traffic congestion that's already there?

Cordially,

Marshall Brown  
673 Hanover Dr, Rockwall, TX 75087

---

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# PUBLIC NOTICE



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PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE

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## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Every beautiful tree will have to be removed.  
It will be dangerous for us and the children in the  
neighborhood because of the traffic.  
We will never be able to get onto Goliad St.  
Name: Mary F. Dean  
Address: 216 W. Quail Run Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Mary F. Dean



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Ryan Miller, AICP  
Director of Planning & Zoning

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## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.  
☒ I am opposed to the request for the reasons listed below.

THE SIZE AND SHAPE OF THE PROPERTY MAKES PLACING ANY SIZE RESTAURANT FACILITY A DANGEROUS PROPOSITION. 1. 1200 IS LARGE ENOUGH TO ALLOW INSIDE SEATING. SITE DOES NOT ALLOW ENOUGH PARKING. 2. INGRESS/EGRESS TO SITE WOULD BE WITHIN 30 FEET OF CORNER OF W. QUAIL RUN RD & PECAN VALLEY WHICH IS SIGNIFICANTLY LESS THAN THE 100' REQUIREMENT MAKING A DANGEROUS TRAFFIC SITUATION THAT COULD CAUSE ACCIDENTS AND HARM TO PEDESTRIANS. 3. IT WOULD IMPAIR ACCESS TO CURRENT PROPERTY OWNERS.

Name:

MICHAEL HUNTER

Address:

260 W. QUAIL RUN RD, ROCKWALL TEXAS 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: *Worth*  
*Moore Investments, LLC*  
Address: *4995 Freeport Drwy Suite 175, Irving TX 75062*

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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Ryan Miller, AICP  
Director of Planning & Zoning



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PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

This would impose a hazardous Traffic situation for pedestrians and Residents on Quail Run, Pecan Valley, as well as <sup>impede</sup> Traffic on 205

Name: Vickie Hunter

Address: 220 W. Quail Run Rd., Rockwall

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**From:** [Wendy Lee-Graham](#)  
**To:** [Planning](#)  
**Subject:** Re: case Z2020-037  
**Date:** Wednesday, August 26, 2020 5:00:48 PM

---

Hello,

I am emailing today to request you deny the planning application for a Smoothie King at this location. The last thing we need is another drive-thru establishment (or nail salon/dentist/childcare...) in this area.

Kind regards,  
Wendy Lee-Graham  
1645 Plummer Drive  
Rockwall, TX 75087

---

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**WIER & ASSOCIATES, INC.**

ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS

JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES

PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES

TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445





WIER & ASSOCIATES, INC.  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

September 1, 2020

City of Rockwall  
Planning & Development Services  
385 S. Goliad Street Rockwall, TX 75087  
Attn: Angelica Gamez

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA ACHARYA, P.E.

RE: WA # 19022 – 150 PECAN VALLEY DR, ROCKWALL, TX 75087 (Z2020-037)

Dear City of Rockwall,

On behalf of the applicant, please find below a listing of requested waivers of the City of Rockwall Unified Development Code:

**Land Use Conditional Standards:** applicant is requesting a drive-thru for a restaurant, which is less than 2,000 sf. The proposed drive-thru will accommodate at least the required minimum 6 stacking spaces.

**Driveway Spacing:** applicant is requesting a waiver from the required driveway spacing. The site is bound by several constraints, including floodplain to the north, utility easements to the south and east, and 3 public roadways. The proposed driveway location is the most feasible.

**Dumpster Location:** applicant is requesting a waiver to allow the trash enclosure to front Pecan Valley. The enclosure will be screened with landscaping, a masonry wall, and a gate.

A copy of the SUP site plan and supporting documents are included for reference. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully,

Casey Orr, P.E.

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

WWW.WIERASSOCIATES.COM

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445



LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

- GENERAL NOTES:
1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

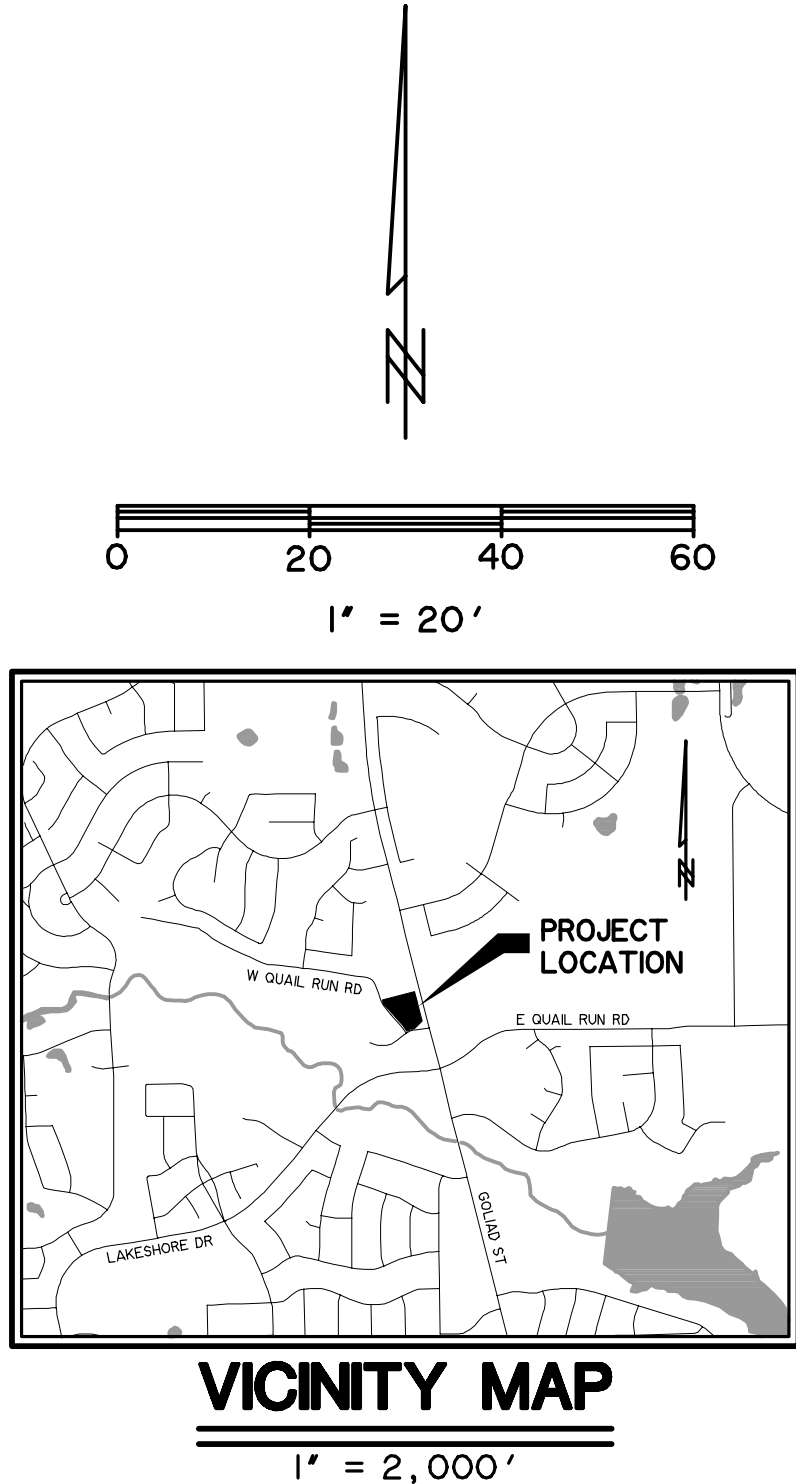
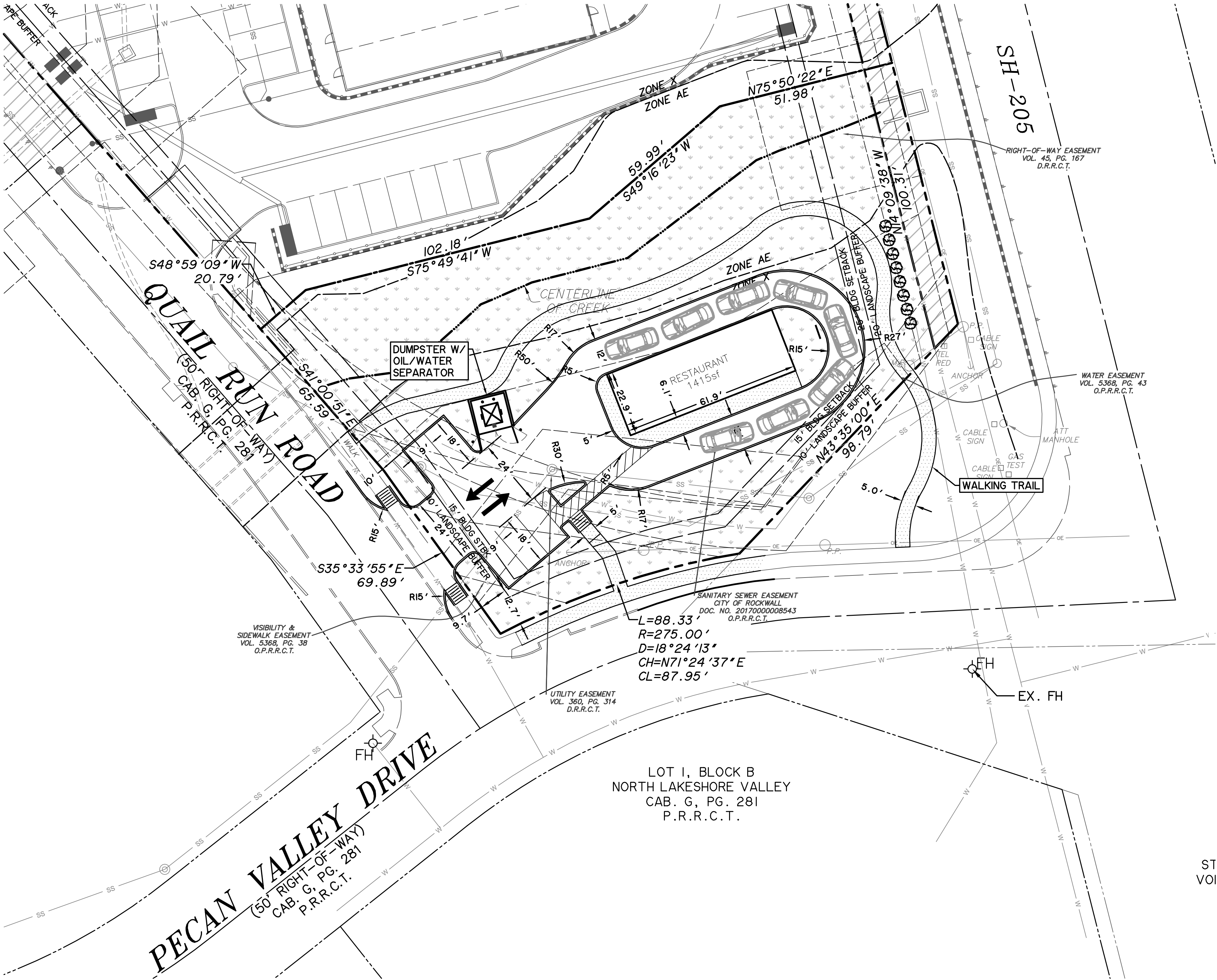
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

September 1, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-037

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.

DATE: 9/1/2020  
W.A. No. 19022





STUDIO | DESIGN





STUDIO DESIGN





STUDIO DESIGN



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 17-03] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 1 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Casey Orr, PE of Wier & Associates, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [Ordinance No. 17-03] for General Retail (GR) District land uses, addressed as 105 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 65 (PD-65) [Ordinance No. 17-03] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 65 (PD-65) [Ordinance No. 17-03] and the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,



**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [Ordinance No. 17-03]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along *Pecan Valley Drive* and *N. Goliad Street* to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed restaurant.

## **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

---

Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: September 21, 2020

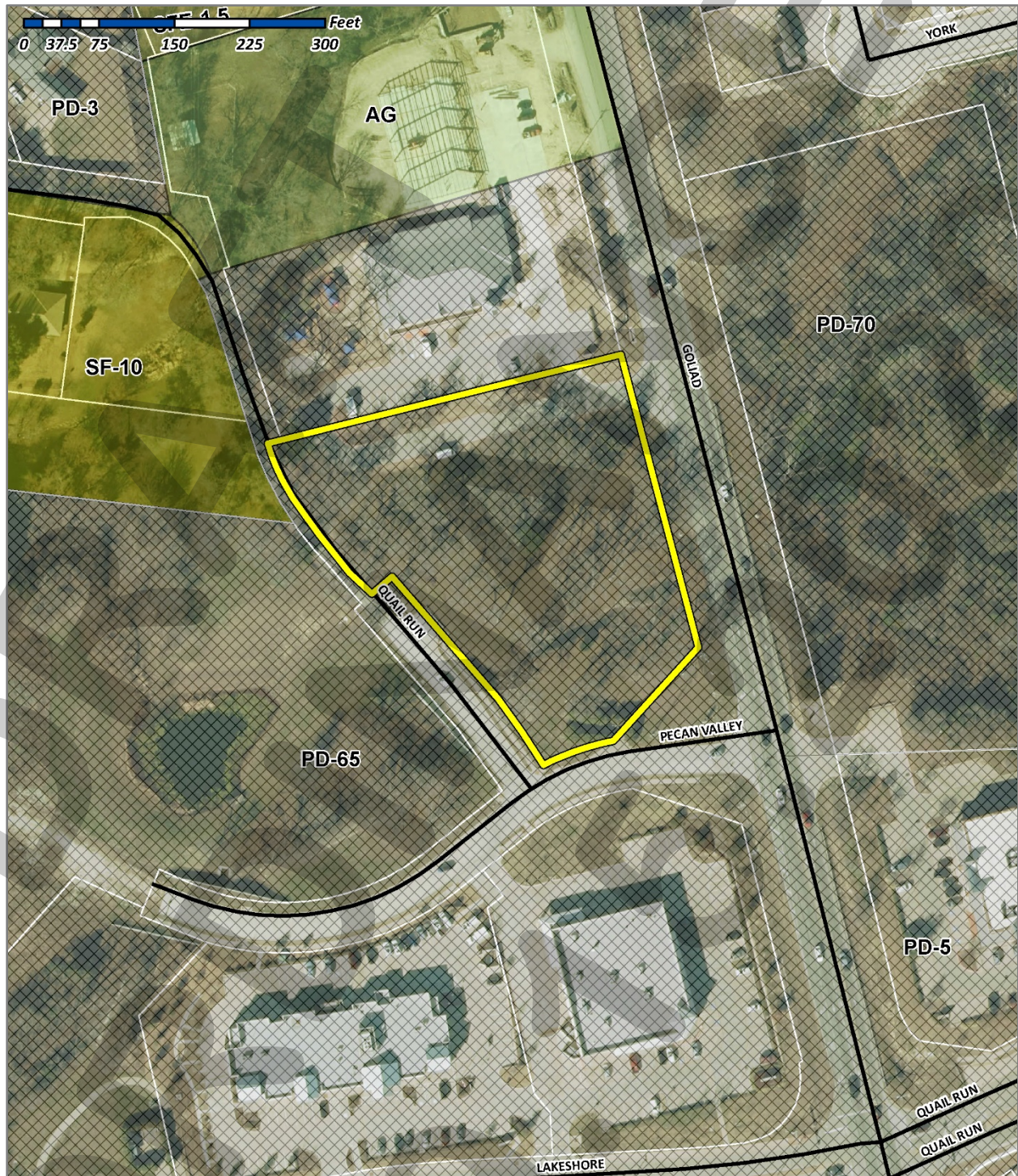
2<sup>nd</sup> Reading: October 5, 2020



**Exhibit 'A'**  
**Location Map and Legal Description**

Address: 105 Pecan Valley Drive

Legal Description: Tract 1 of the S. King Survey, Abstract No. 131





**Exhibit 'A'**  
*Location Map and Legal Description*

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- (1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- (2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

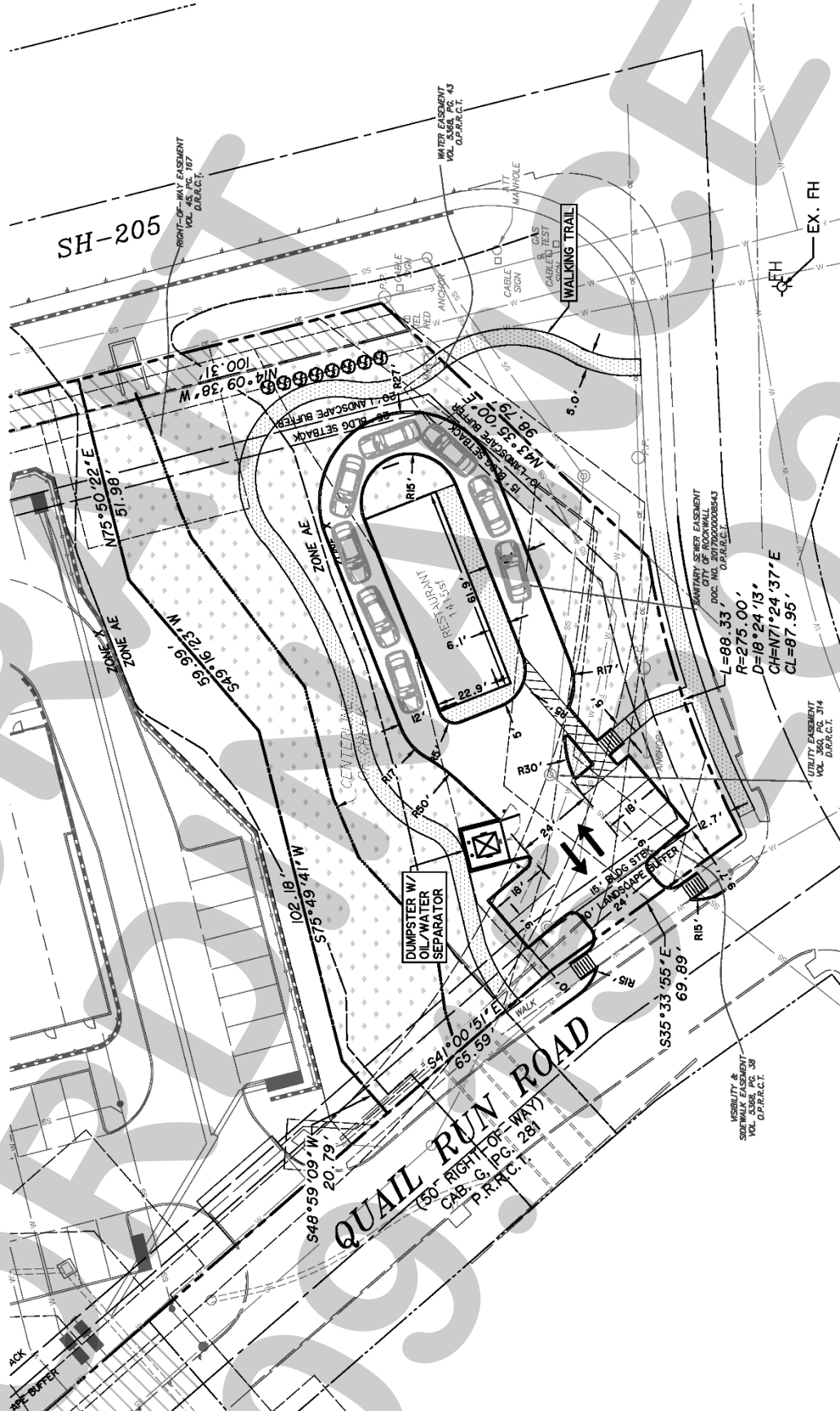
THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.



Exhibit 'B':  
Concept Plan







# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

---

**TO:** Mayor and City Council

**DATE:** September 21, 2020

**APPLICANT:** Casey Orr, PE; *Wier & Associates, Inc.*

**CASE NUMBER:** Z2020-037; *Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

### BACKGROUND

The subject property -- *which is a portion of a larger 2.356-acre tract of land* -- was annexed into the City of Rockwall on February 3, 1961 by *Ordinance No. 61-02*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The property would remain zoned Agricultural (AG) District until January 3, 2006 when the City Council approved Planned Development District 65 (PD-65) [*Ordinance No. 06-02; Case No. Z2004-037*]. This Planned Development District designated the subject property for General Retail (GR) District land uses. Since the establishment of Planned Development District 65 (PD-65), the Planned Development District has been amended three (3) times (*i.e. Ordinance No.'s 08-02, 10-28, & 17-03*); however, the designation of the subject property has remained for General Retail (GR) District land uses.

On July 9, 2019, the 2.356-acre tract of land -- *of which the 0.579-acre subject property is a part* -- was approved for a site plan [*Case No. SP2019-023*] for an ~11,000 SF strip retail building. This portion of the tract of land is currently under construction, and physically separated from the subject property by flood plain that traverses the tract of land from N. Goliad Street to Pecan Valley Drive/Quail Run Road. Submitted concurrently with the site plan request for the 2.356-acre tract of land, was a Specific Use Permit (SUP) application for a *Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In* on the subject property [*Case No. Z2019-014*]; however, this request was ultimately withdrawn by the applicant on August 6, 2019. In addition, a final plat [*Case No. P2020-034*] was submitted for the entire 2.356-acre tract of land (*i.e. including the subject property*) and is currently being run concurrently with this case.

On June 19, 2020, the applicant had previously submitted same request as to what is being proposed currently (*i.e. for a Specific Use Permit [SUP] for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In*) under *Case No. Z2020-026*. This request was presented to the Planning and Zoning Commission on July 14, 2020, and was unanimously recommended for denial by a vote of 6-0, with Commissioner Moeller absent. Based on this, the applicant requested that the City Council withdraw the case. This withdraw request was approved by the City Council on July 20, 2020 by a vote of 7-0. After this action, the applicant resubmitted an application for the same request (*i.e. for a Specific Use Permit [SUP] for a restaurant, less than 2,000 SF, with drive-through or drive-in*). The only new materials provided with the reapplication were renderings of the building, an indication that the restaurant would be a *Smoothie King*, and a concept plan showing the inclusion of a walking trail.

### PURPOSE

The applicant -- *Casey Orr, PE of Wier & Associates, Inc.* -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* for the purpose of developing a restaurant (*i.e. Smoothie King*) on the subject property.



## **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 150 Pecan Valley Drive. The land uses adjacent to the subject property are as follows:

- North:** Directly north of the subject property is a ~11,000 SF strip retail building on the same tract of land as the subject property. This building is currently under construction and is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is a daycare facility (*i.e. Children's Lighthouse Daycare*) situated on a 3.543-acre parcel of land (*i.e. Lot 1, Block A, Children's Lighthouse Addition*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses and Agricultural (AG) District. The Agricultural (AG) District portion of this property has a Specific Use Permit (SUP) for a daycare facility (*i.e. S-140; Ordinance No. 15-22*).
- South:** Directly south of the subject property is Pecan Valley Drive, which is designated as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. Walgreens Pharmacy*) situated on a 1.9894-acre parcel of land (*i.e. Lot 1, Block B, North Lakeshore Valley*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is N. Lakeshore Drive, which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- East:** Directly east of the subject property is N. Goliad Street [*SH-205*], which is designated as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. CVS Pharmacy*) situated on a 2.519-acre parcel of land (*i.e. Lot 1R, Block B, Quail Run Retail*), which is zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses. Also, east of the subject property is a 62.484-acre tract of land (*i.e. Tract 3 of the S. King Survey, Abstract No. 131*) that is zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses.
- West:** Directly west of the subject property is Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an 11.723-acre tract of vacant land (*i.e. Tract 5 of the S. King Survey, Abstract No. 131*) that is owned by the City of Rockwall and zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a 1,415 SF limited service restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented toward S. Goliad Street, but will have only one (1) point of ingress/egress that will be on Quail Run Road. The drive-through lane will wrap around the building, and will not incorporate a *bailout* lane. The *food delivery/payment window* will be oriented north toward the floodplain and adjacent strip retail building, and the *restaurant ordering board* (*i.e. the point of order*) will be oriented facing directly onto N. Goliad Street approximately 37-feet from the right-of-way. In addition, the concept plan depicts eight (8) vehicles being able to be cued in the drive-through lane (*i.e. five [5] vehicles between the food delivery/payment window and the restaurant ordering board and three [3] vehicles behind the vehicle at the restaurant ordering board*) with headlight screening being included along N. Goliad Street. The concept plan also shows the provision of five (5) parking spaces and the location of trash dumpster enclosure.

## **CONFORMANCE WITH THE CITY'S CODES**

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant Less Than 2,000 SF with a Drive-Through or Drive-In* land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:



- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lands for drive-through service window (*i.e. the food delivery/payment window*) shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted site plan does show conformance to the minimum stacking requirements and provides shrubs along N. Goliad Street to help impair the visibility of headlights; however, the proposed concept plan shows the business making use of Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) or a residential street on the Master Thoroughfare Plan. In considering this non-conformity, it is important for staff to point out that the strip retail center currently being built north of the subject property already has a drive approach off of Quail Run Road, and that commercial traffic will be utilizing this portion of the roadway regardless of if this Specific Use Permit (SUP) is approved. It should also point out that additional landscaping -- *above and beyond what is depicted on the concept plan* -- will need to be provided to sufficiently screen the headlights of vehicles in the drive-through lane. Staff should also note that due to existing easements on the site, it may be difficult for the applicant to provide the required landscaping necessary to screen the headlights shining on to N. Goliad Street. If this proves to be the case, a three (3) foot masonry wall can be incorporated adjacent to the drive-through lane to achieve the same screening. This can be determined on the *Landscape Plan* submittal with the *Site Plan*, and an operation condition addressing this issue has been added to the attached draft ordinance.

In addition to not meeting the land uses standards, another issue with the proposed drive approach on Quail Run Road is its distance to the intersection of Pecan Valley Drive and Quail Run Road. According to the Engineering Department's *Standards of Design and Construction*, the minimum driveway spacing from an intersection of a R2 (*i.e. residential, two [2] lane, undivided roadway*) and a *Collector* is 100-feet. In this case, the driveway spacing is 37-feet from the intersection of Quail Run Road and Pecan Valley Road and the southernmost point of the proposed drive approach.

According to the City's parking requirements contained in Article 06, *Parking and Loading*, of the Unified Development Code (UDC), a *limited service restaurant* carries a parking requirement of one (1) parking space per 250 SF of building area. In this case, this would translate to a minimum of six (6) parking space (*i.e. 1,415 SF/250 SF = 5.66 or 6 parking spaces*). The proposed concept plan currently only depicts five (5) parking spaces. In addition, Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), states "...enclosures shall be located to the side or rear of the primary buildings, and shall not front on to a public right-of-way." In this case, the proposed trash enclosure fronts onto Pecan Valley Drive and would need a variance to this requirement.

Finally, staff should point out that as part of this amended request the applicant -- *unsolicited by staff* -- has incorporated a trail system that was not on the original, resubmitted concept plan. Since this was provided by the applicant it will be a requirement of the Specific Use Permit (SUP) ordinance; however, a portion of this trail system shows to be running into the 100-year floodplain. In order to do this, the applicant will need to perform a Flood/Waters of the United States Study and provide an updated tree mitigation plan for the site. This has been added as a condition of approval in the *Recommendation* section of this case memo.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District and Planned Development District 65 (PD-65). The submitted building renderings will be subject to both the requirements of the N. SH-205 Overlay (N. SH-205 OV) District and review by the Architectural Review Board (ARB) at the time of site plan. Based on this, these elevations are not being proposed to be tied down as part of this case.

### **STAFF ANALYSIS**

Due to the site constraints of this particular property, it would be difficult for the applicant to meet the compensatory requirements -- *which are stipulated by the Unified Development Code (UDC)* -- needed to off-set the variances depicted on the applicant's concept plan. As a result, the following waivers/variances need to be considered as part of this Specific Use Permit (SUP) request:

- (1) A variance to the locational requirements for a trash enclosure.
- (2) A variance to the parking requirements to reduce the parking from the required six (6) parking spaces to five (5) parking spaces.



- (3) A waiver to the driveway spacing requirements to allow a drive approach to be 37-feet away from the intersection of a collector and a residential roadway.
- (4) A waiver to allow a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* to only have access on to a residential roadway.

As previously stated, the strip retail center to the north -- *which is located on the same tract of land as the subject property* -- also has a drive approach on to Quail Run Road; however, this development also has an approach on to SH-205, which the subject property is not capable of. This means that all traffic generated on the subject property will have to make use of Quail Run Road.

It may also be material for staff to note that when the applicants originally met with staff about the strip retail center, staff informed the applicants that due to the site constraints (*i.e. flood plain, easements, buildable area, frontage on three [3] roadways, etc.*) it would be difficult for a building to be constructed on this portion of the property. Staff also explained that it was unsafe to allow a drive approach off of N. Goliad Street, Pecan Valley Drive, and/or Quail Run Road. At that time, the applicants were proposing a plan that showed a bridge connecting the subject property to the remainder of the tract (*i.e. where the strip retail center is being constructed*). Since this time, the applicant has attempted three (3) submittals on this property, all of which have been for limited service restaurants. Two (2) of these applications were withdrawn, with one (1) being withdrawn after the work session with the Planning and Zoning Commission and one (1) being withdrawn after the Planning and Zoning Commission's recommendation of denial. With all of this being said, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On August 15, 2020, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Shore on Lake Ray Hubbard, Random Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit Homeowners Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 13 responses (*i.e. eight (8) emails and five (5) property owner notifications*) opposed to the applicant's request and one (1) property owner notification in favor of the applicants request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. Smoothie King*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along Pecan Valley Drive and N. Goliad Street to provide headlight screening for vehicles traveling along N. Goliad Street from vehicles in the drive-through and cueing lanes of the proposed restaurant.
- (2) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (3) The approval of this Specific Use Permit (SUP) will waive the driveway spacing requirements for a drive approach on a residential street as stipulated in the Engineering Department's *Standards of Design and Construction Manual*.



- (4) The approval of this Specific Use Permit (SUP) will constitute a variance to the minimum parking requirements for a *limited service restaurant* as stipulated by Section 06.05, *Off-Street Loading Requirements*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) to allow five (5) parking spaces in lieu of the six (6) required parking spaces.
- (5) The approval of this Specific Use Permit (SUP) will constitute a variance to the dumpster enclosure orientation requirements stipulated by Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow the dumpster enclosure to be oriented toward a public right-of-way.
- (6) A Floodplain/Waters of the United States Study and updated tree mitigation plan will need to be submitted prior to establishing the trail in the floodplain.
- (7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 4-2, with Commissioners Deckard and Welch dissenting and Commissioner Conway absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

## Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

## Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

## Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

## Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

## Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 150 Pecan Valley Dr

Subdivision A0131, S. King Survey, Tract 1; Pecan Valley Retail Lot 1 Block A

General Location NWC Goliad St & Pecan Valley Dr

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-65 w. N. SH-205 Overlay

Current Use Undeveloped/Vacant

Proposed Zoning PD-65 w. N. SH-205 Overlay

Proposed Use Restaurant w/ Drive-Thru

Acreage 2.246

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ Owner JCDB Goliad Holdings, LLC

☐ Applicant Wier & Associates, Inc.

Contact Person Chad DuBose

Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

City, State & Zip Henderson, TX 75654

Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Cary Albert [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 233.69, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of August, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

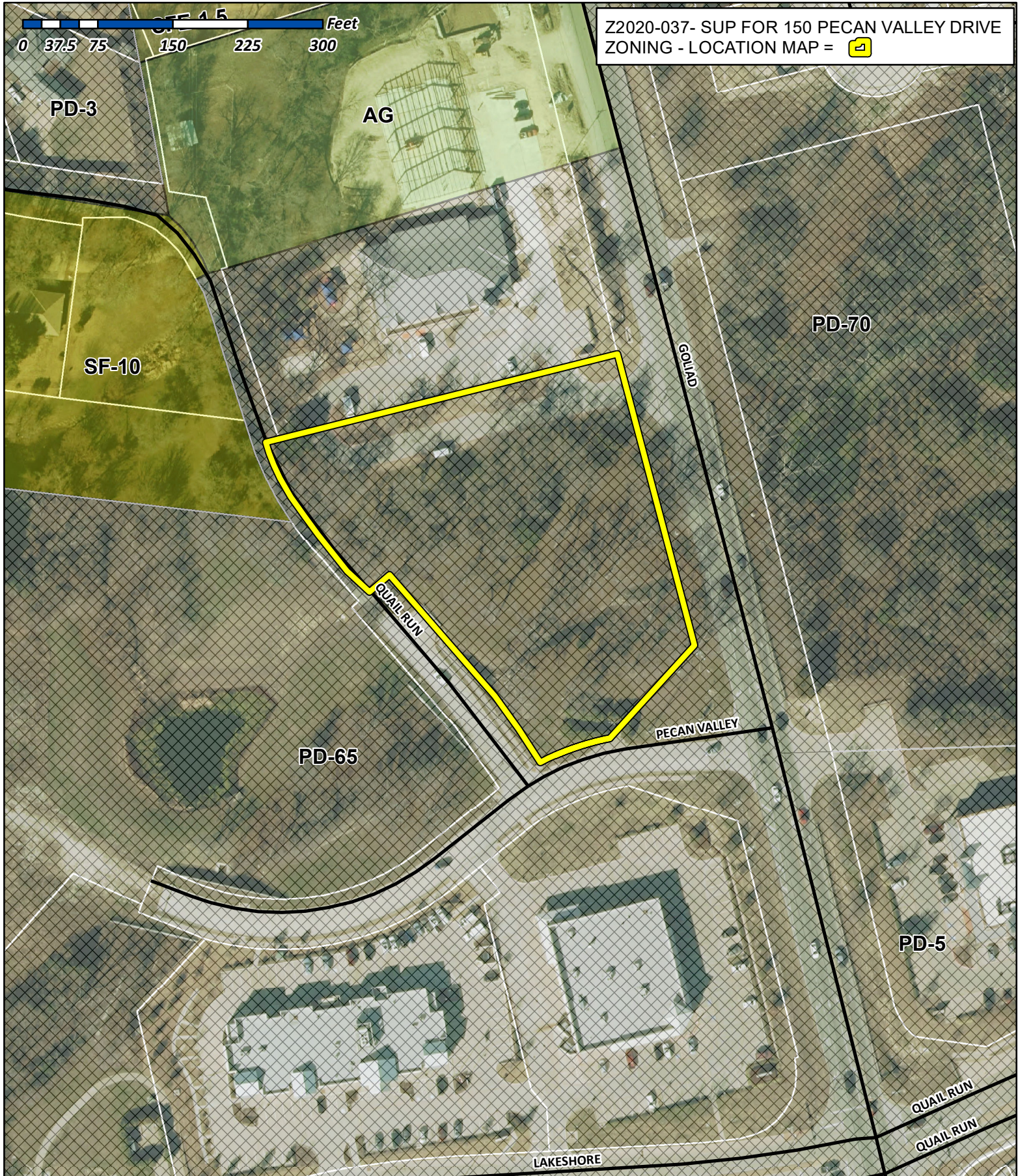
Given under my hand and seal of office on this the 14th day of August, 20 20.

Owner's Signature

Notary Public in and for the State of Texas







## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



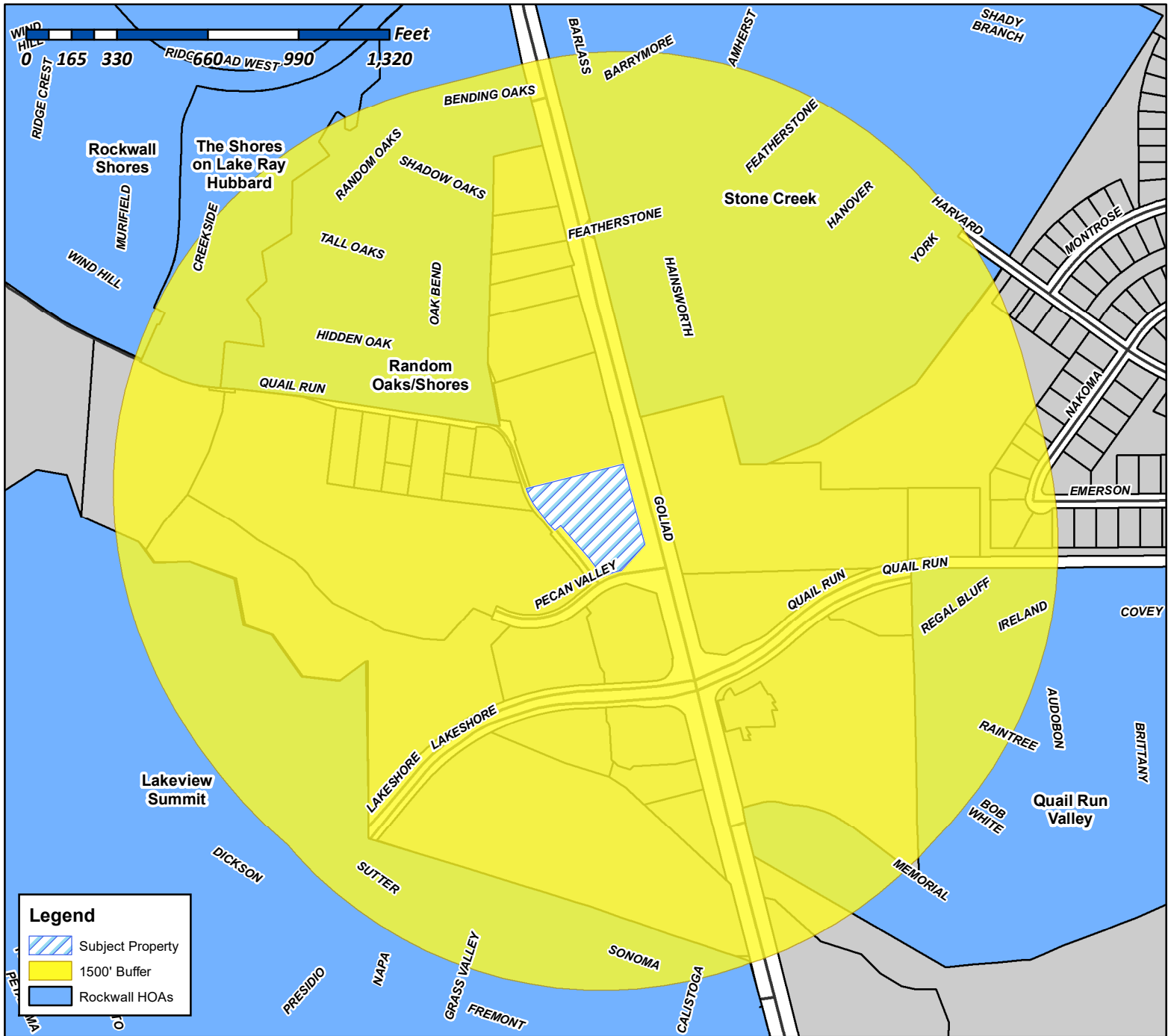




# City of Rockwall

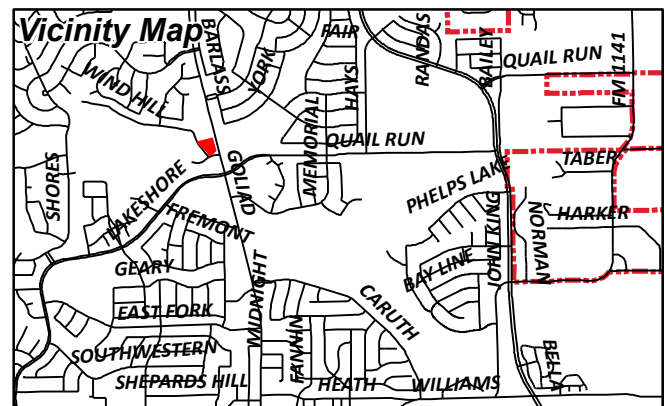
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, August 18, 2020 4:59:49 PM  
**Attachments:** [HOA Map Z2020-037.pdf](#)  
[Public Notice \(08.18.2020\).pdf](#)

---

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, August 21, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

M REA PROPERTIES 2 LLC  
1234 TRALEE LN  
GARLAND, TX 75044

PACESETTER HOMES LLC  
14400 THE LAKES BLVD BUILDING C SUITE 200  
AUSTIN, TX 78660

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE  
1823 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L  
1825 HAINSWORTH DR  
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C  
1827 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D  
1830 OAK BEND DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC  
203 E INTERSTATE 30  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2265 NORTH LAKESHORE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CLARK TROY & JANICE  
3025 N GOLIAD ST  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ARRIAGA HENRY  
505 HIDDEN OAK LN  
ROCKWALL, TX 75087

JASMAN JAMES BLAKE  
511 HIDDEN OAK LN  
ROCKWALL, TX 75087

MURRAY NANCY J  
519 HIDDEN OAK LN  
ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC  
6000 UNIVERSITY AVE STE 350  
WEST DES MOINES, IA 50266



GOLIAD REAL ESTATE LLC  
7700 EASTERN AVENUE SUITE 705  
DALLAS, TX 75209

REY LUIS SR AND JUDY L  
806 YORK DR  
ROCKWALL, TX 75087

ODEYEMI ADETUNJI  
808 YORK DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
825 GOLIAD  
ROCKWALL, TX 75087

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

*Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

— . . . PLEASE RETURN THE BELOW FORM — . . . . .

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

**Please place a check mark on the appropriate line below:**

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.


Name:	
Address:	

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)



## Gamez, Angelica

---

**From:** Al Estrada <alrestrada@gmail.com>  
**Sent:** Wednesday, August 19, 2020 6:02 PM  
**To:** Planning  
**Subject:** Z20-20 037

Ladies and Gentlemen,

After careful consideration, it is my recommendation for this plan not to move forward with this proposal in this location.

The current traffic jams already produced by the current corner occupants on Goliad and Lakeview, in addition to the increase in traffic accidents will only become worse.

Respectfully submitted,

Al Estrada  
748 Monterey Drive  
ROCKWALL  
TX 75087  
713 829 0701

Lakeview Summit

---

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## Gamez, Angelica

---

**From:** Thomas Campion <thomas.campion@outlook.com>  
**Sent:** Wednesday, August 19, 2020 11:49 AM  
**To:** Planning  
**Subject:** Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

To whom it may concern,

Do we have to knock down all the trees just to get another random fast food joint? It seems like plenty of space exists next to and behind McDonalds. If trees have to be cleared I would prefer a healthier establishment take their place such as a sprouts for example.

Thomas R. Campion  
Resident Stone Creek Estates  
108 Chatfield Drive  
Rockwall, TX 75087

**From:** Homeowner Association <Email\_Alert@calibersoftware.email>  
**Sent:** Wednesday, August 19, 2020 11:19 AM  
**To:** thomas.campion@outlook.com  
**Subject:** Neighborhood Notification Program Notice

Dear Residents-

Please see below for a notice from the City of Rockwall regarding a zoning case near Stone Creek Estates HOA.

"Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, August 21, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive**

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King



Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

Planning & Zoning  
City of Rockwall  
972.771.7745 Office  
<http://www.rockwall.com/planning/>

***Brittany Maxwell***  
**Community Association Manager**  
**Neighborhood Management, Inc.**  
1024 S. Greenville Ave, Suite 230 | Allen, TX 75002  
Direct 972-359-1548 X 230  
**Website**      **Click & Share Your Experience**



**AAMC®- Accredited Association Management Company®**

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**From:** [Debe Hyde](#)  
**To:** [Planning](#)  
**Subject:** Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive  
**Date:** Saturday, August 22, 2020 9:17:54 PM

---

Good day to you!

My name is Trent Hyde and I live at 218 West Quail Run Road, Rockwall.

With regard to Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive - **I am OPPOSED to the request for the reasons listed below:**

I have lived in Rockwall for over 20 years and in that time have watched Planning & Zoning just approve to fill up every little space of the once quiet area of Quail Run / Lakeshore Drive. This is destroying the integrity and the small town feel of Rockwall to add yet another restaurant to Rockwall.

Have you ever tried to turn left from Pecan Valley Drive onto Highway 205 at any time of the day? It's close to impossible and extremely dangerous. I ask you to try it, especially during high traffic hours.

Please, we are pleading, do not approve any establishment to be built on this corner. You will just be adding one more problem to the chaos. Thank you for your consideration!

Trent Hyde  
214-924-9061

---

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**From:** [Ed Mahoney](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037 Smoothie King  
**Date:** Thursday, August 20, 2020 10:35:03 AM

---

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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**From:** [J.Chastain](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037  
**Date:** Sunday, August 23, 2020 7:11:27 AM

---

If like to express my concern with putting another drive through at the corner of lakeshore and 205. Morning traffic consistently backs up at this intersection all the way to the shores entrance. Bringing more people to this intersection will cause a lot of problems. Especially those who come North and have to pass through the line of cars as they try to turn left into this drive through. Not only is it an eye sore that they took down a beautiful Grove of trees but all of this cheap big chain fast food really downgrades rockwalls old charm. The original zoning was there for a reason. Rockwall was a well built city that preserved itself in it's correct areas. Please don't let that be degraded by some money hungry developers looking to make a quick dollar on any 20 square feet they can get there hands on.

---

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## Gamez, Angelica

---

**From:** Ed Mahoney <saildrambuie@sbcglobal.net>  
**Sent:** Thursday, August 20, 2020 10:35 AM  
**To:** Planning  
**Subject:** Z2020-037 Smoothie King

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Please do not remove the little left of what was once a beautiful area.  
This intersection is already over loaded with traffic. Do not add more.  
Leave what is left for the children and family who use it to walk.  
Let those wanting to make another million go some where else. Leave the area.

Name: Lanty W. Dean  
Address: 216 W. Duval Park Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Lanty W. Dean



## Gamez, Angelica

---

**From:** Marshall Brown <marshbrown@gmail.com>  
**Sent:** Wednesday, August 19, 2020 3:30 PM  
**To:** Planning  
**Subject:** Case Z2020-037

Greetings,

I'm writing this email in protest of Planning Case Z2020-037. I disagree with a drive through establishment in this area. Not only did a nice grove of trees get torn down for development, but a Smoothie King is not what is needed. If we want to keep that Rockwall small town feel, we should be promoting more restaurants where people can hang out. Bring some of the downtown feel to the Lakeshore/205 area instead.

There's a good walking path nearby. Maybe we could model the area to cater to more pedestrian traffic to alleviate the traffic congestion that's already there?

Cordially,

Marshall Brown  
673 Hanover Dr, Rockwall, TX 75087

---

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# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

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Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Every beautiful tree will have to be removed.  
It will be dangerous for us and the children in the  
neighborhood because of the traffic.  
We will never be able to get onto Goliad St.  
Name: Mary F. Dean  
Address: 216 W. Quail Run Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Mary F. Dean



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

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Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

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385 S. Goliad Street  
Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.  
☒ I am opposed to the request for the reasons listed below.

THE SIZE AND SHAPE OF THE PROPERTY MAKES PLACING ANY SIZE RESTAURANT FACILITY A DANGEROUS PROPOSITION. 1. 1200 IS large enough to allow inside seating. SITE DOES NOT ALLOW ENOUGH PARKING. 2. INGRESS/EGRESS TO SITE WOULD BE WITHIN 30 feet of corner of W QUAIL RUN RD & PECAN VALLEY WHICH IS SIGNIFICANTLY LESS THAN THE 100' REQUIREMENT MAKING A DANGEROUS TRAFFIC SITUATION THAT COULD CAUSE ACCIDENTS AND HARM TO PEDESTRIANS. 3. IT WOULD IMPAIR ACCESS TO CURRENT PROPERTY OWNERS.

Name:

MICHAEL HUNTER

Address:

260 W. QUAIL RUN RD, Rockwall TEXAS 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: *Worth*  
*Moora Investments, LLC*  
Address: *4995 Freeport Drwy Suite 175, Irving TX 75062*

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

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Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

This would impose a hazardous Traffic situation for pedestrians and Residents on Quail Run, Pecan Valley, as well as <sup>impede</sup> Traffic on 205

Name: Vickie Hunter

Address: 220 W. Quail Run Rd., Rockwall

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**From:** [Wendy Lee-Graham](#)  
**To:** [Planning](#)  
**Subject:** Re: case Z2020-037  
**Date:** Wednesday, August 26, 2020 5:00:48 PM

---

Hello,

I am emailing today to request you deny the planning application for a Smoothie King at this location.  
The last thing we need is another drive-thru establishment (or nail salon/dentist/childcare...) in this area.

Kind regards,  
Wendy Lee-Graham  
1645 Plummer Drive  
Rockwall, TX 75087

---

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**WIER & ASSOCIATES, INC.**  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445





WIER & ASSOCIATES, INC.  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

September 1, 2020

City of Rockwall  
Planning & Development Services  
385 S. Goliad Street Rockwall, TX 75087  
Attn: Angelica Gamez

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA ACHARYA, P.E.

RE: WA # 19022 – 150 PECAN VALLEY DR, ROCKWALL, TX 75087 (Z2020-037)

Dear City of Rockwall,

On behalf of the applicant, please find below a listing of requested waivers of the City of Rockwall Unified Development Code:

**Land Use Conditional Standards:** applicant is requesting a drive-thru for a restaurant, which is less than 2,000 sf. The proposed drive-thru will accommodate at least the required minimum 6 stacking spaces.

**Driveway Spacing:** applicant is requesting a waiver from the required driveway spacing. The site is bound by several constraints, including floodplain to the north, utility easements to the south and east, and 3 public roadways. The proposed driveway location is the most feasible.

**Dumpster Location:** applicant is requesting a waiver to allow the trash enclosure to front Pecan Valley. The enclosure will be screened with landscaping, a masonry wall, and a gate.

A copy of the SUP site plan and supporting documents are included for reference. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully,

Casey Orr, P.E.

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

WWW.WIERASSOCIATES.COM

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445



LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

GENERAL NOTES:

1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC

CONTACT: CHAD DUBOSE

8350 N CENTRAL EXPWY, STE 1313

DALLAS, TEXAS 75206

PHONE: (214) 891-3215

CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES

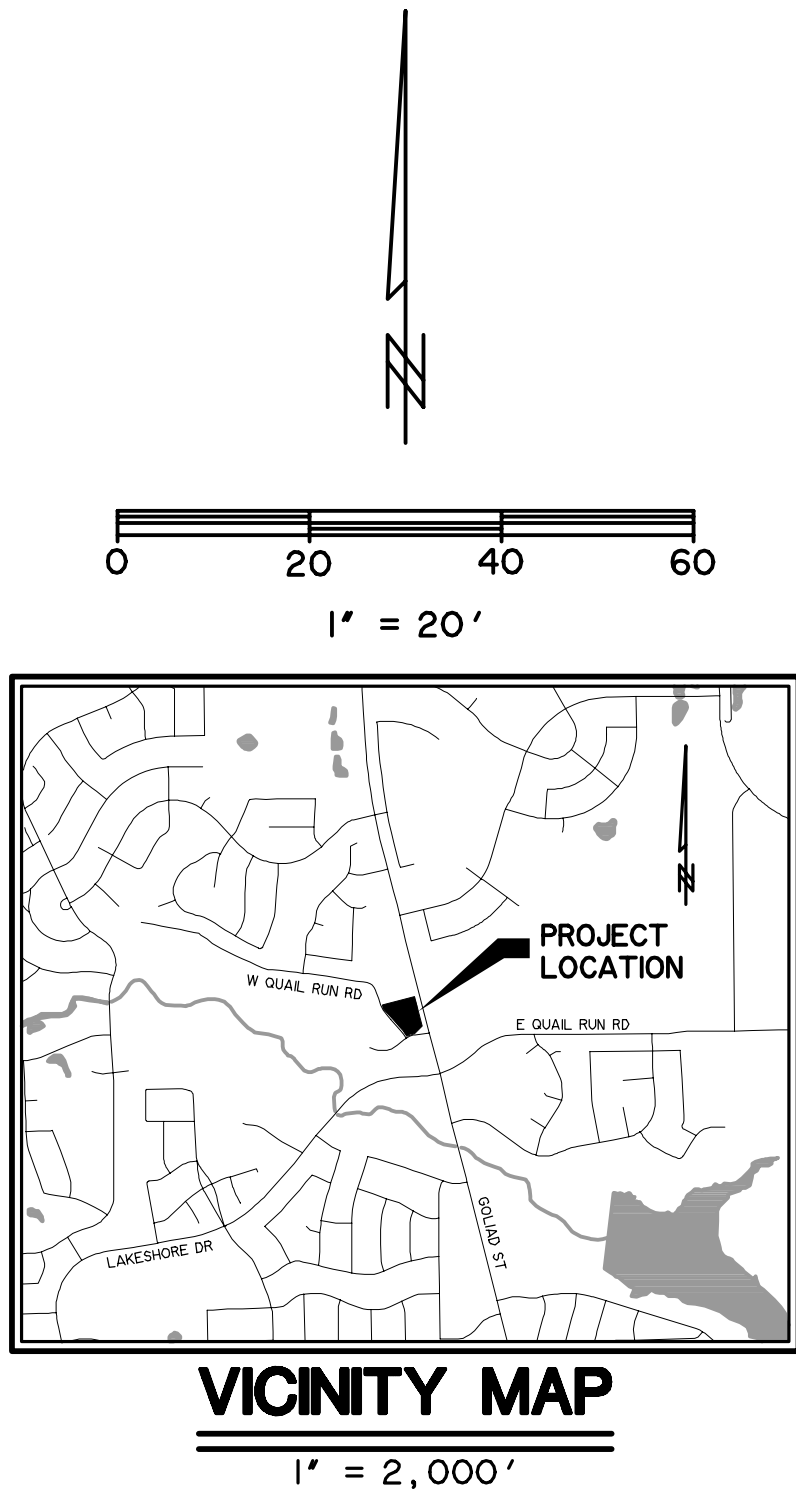
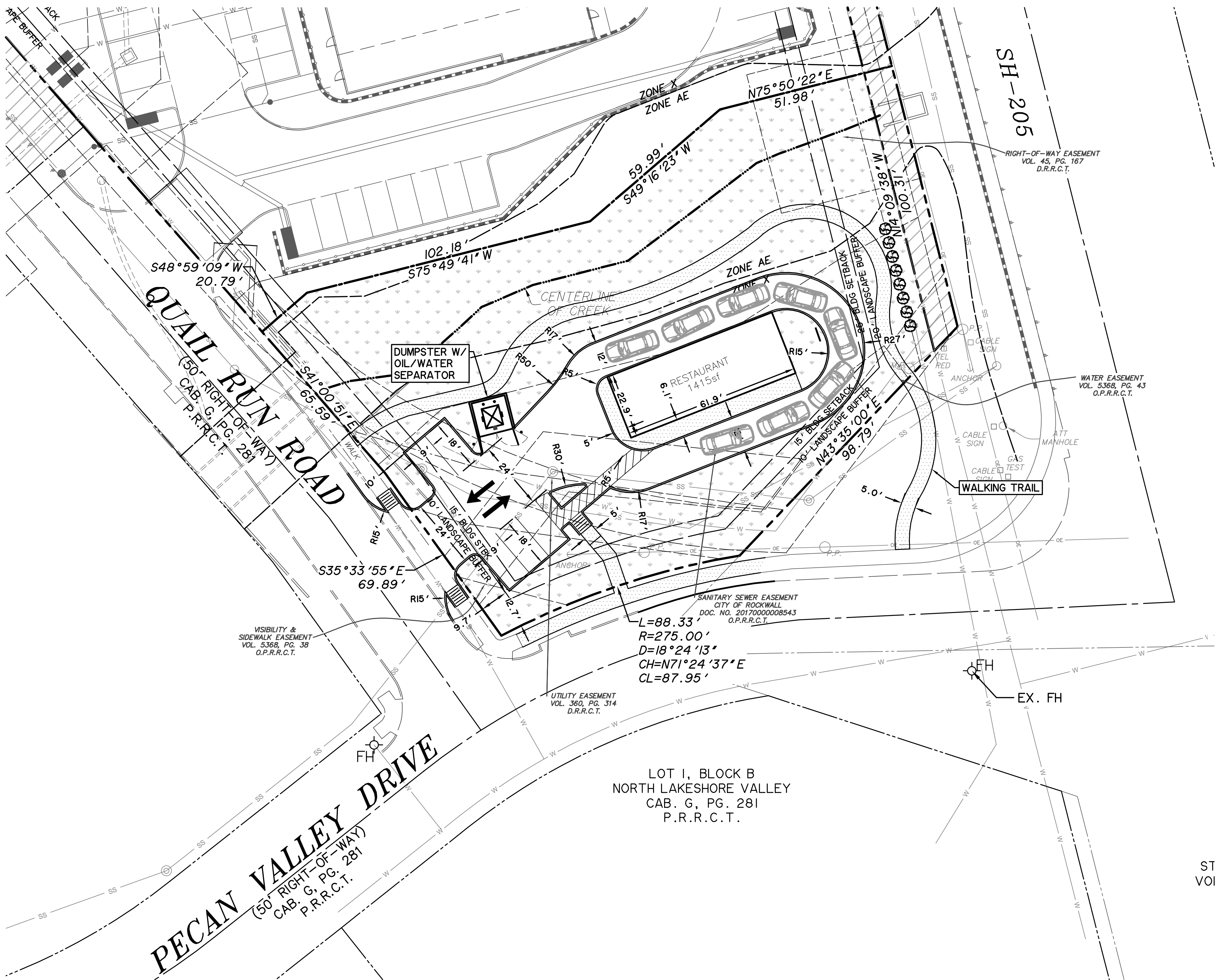
CONTACT: CASEY ORR, P.E.

121 S. MAIN ST

HENDERSON, TX 75654

PHONE: (903) 722-9030

CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

September 1, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-037

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.

DATE: 9/1/2020  
W.A. No. 19022





STUDIO | DESIGN





STUDIO DESIGN





STUDIO DESIGN



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 17-03] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 1 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Casey Orr, PE of Wier & Associates, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [Ordinance No. 17-03] for General Retail (GR) District land uses, addressed as 105 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 65 (PD-65) [Ordinance No. 17-03] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 65 (PD-65) [Ordinance No. 17-03] and the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,



**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [Ordinance No. 17-03]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along *Pecan Valley Drive* and *N. Goliad Street* to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed restaurant.

## **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

---

Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: September 21, 2020

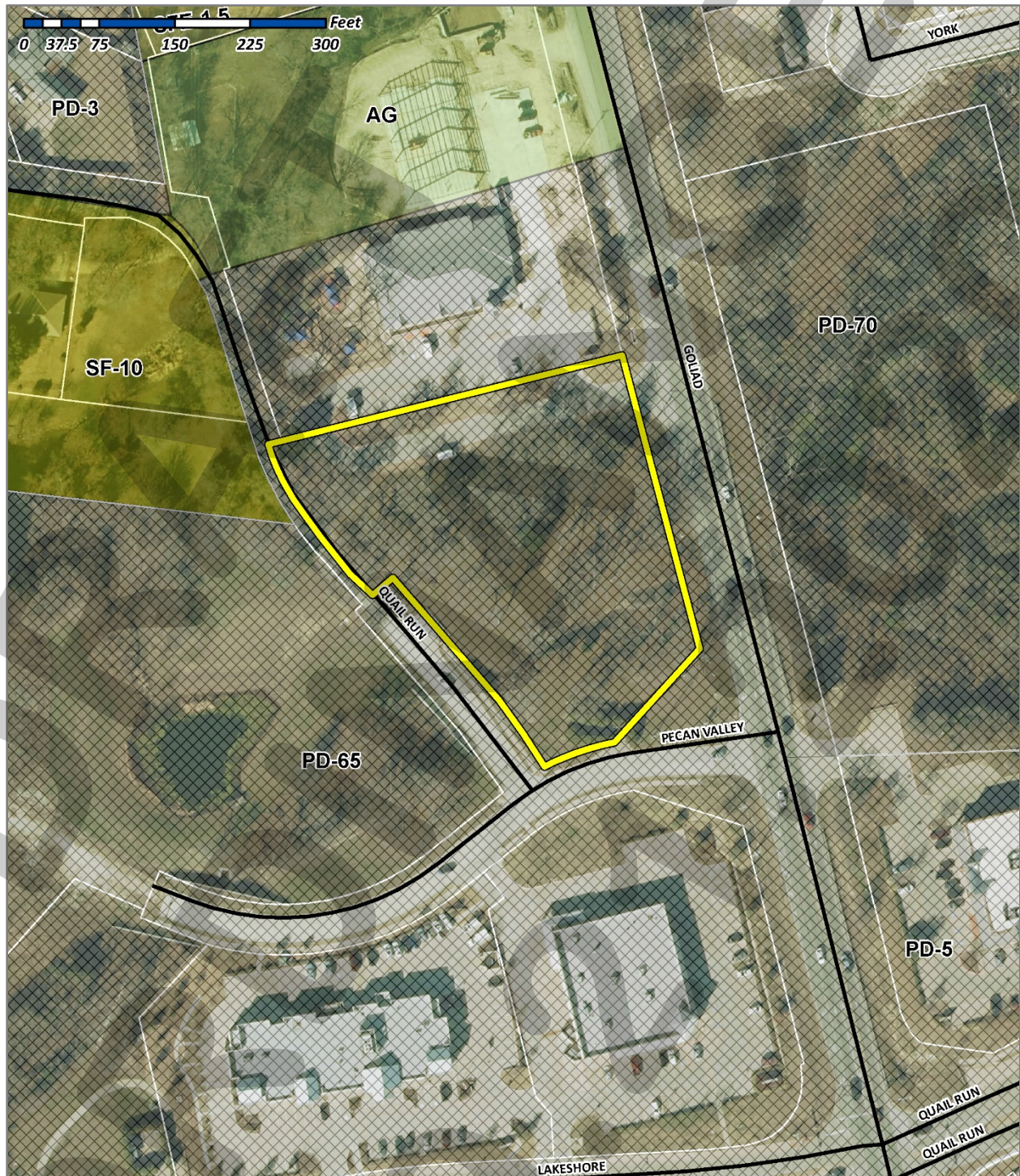
2<sup>nd</sup> Reading: October 5, 2020



**Exhibit 'A'**  
**Location Map and Legal Description**

Address: 105 Pecan Valley Drive

Legal Description: Tract 1 of the S. King Survey, Abstract No. 131





**Exhibit 'A'**  
*Location Map and Legal Description*

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- (1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- (2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

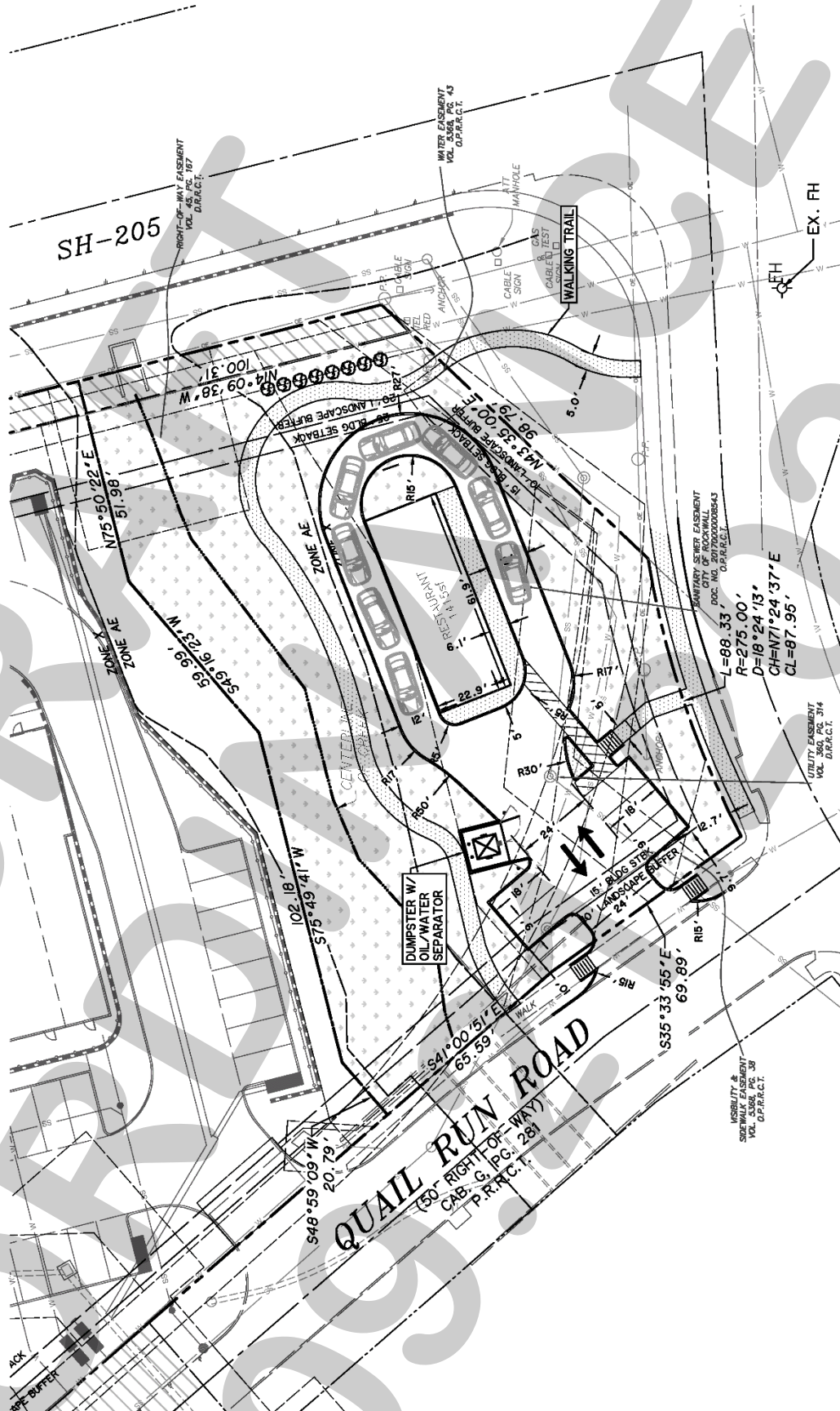
THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.



Exhibit 'B':  
Concept Plan







# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

---

**TO:** Planning and Zoning Commission

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** September 29, 2020

**SUBJECT:** Z2020-037; *Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive*

---

On September 21, 2020, -- *prior to the City Council meeting* -- the owner of the property, Cary Albert of Albert Enterprises, emailed staff to state that they were [1] unaware of some of the issues on the project, and [2] to propose an amended concept plan showing a reduction in building area from 1,450 SF down to 1,250 SF (*a reduction of 200 SF*). According to Section 02.03(D), *Submitting Additional Information*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(n)ew matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council ... the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence." In accordance with this section the City Council remanded the case back to the Planning and Zoning Commission by a vote of 7-0. Staff should note that by reducing the building down to 1,250 SF, the applicant has brought the concept plan in to conformance to the parking requirements; however, the concept plan still does not conform to the minimum [1] land use requirements, [2] driveway spacing requirements, or [3] the dumpster orientation requirements. In addition, no additional changes to the concept plan have been offered by the applicant or owner. Should the Planning and Zoning Commission have any questions staff will be available at the September 29, 2020 meeting.



**From:** [Cary Albert](#)  
**To:** [Miller, Ryan](#)  
**Cc:** [Chad DuBose](#)  
**Subject:** RE: Case No. 2020-037 Smoothie King SUP  
**Date:** Monday, September 21, 2020 12:27:17 PM  
**Attachments:** [image003.png](#)  
[image008.png](#)  
[image009.png](#)  
[SUP Site Plan Smoothie King2.pdf](#)

---

Ryan,

Thank you very much for the time today on the phone. You shed much light on some topics that neither Chad or I were aware of. As you know, we started this project with Jake Fears at Wier and Associates, as our Civil. After many years and many projects with this ownership, Jake left Wier recently and this project was handed over to Casey. Chad and I have been left in the dark on many of the issues with this project that were brought up from you today. That is very frustrating to us. Absolutely no fault of yours, but a communication breakdown from our Civil group to us, the ownership.

We absolutely need the NOI on this part of our project in order for this entire development to pencil. Several things have transpired recently that Chad and I were unaware of. Firstly, we were never told by growing the building to 1,450sf in our presentation to P&Z, that we were one park short and would need a variance for that. Civil never relayed that to us when designing. We never wanted that! 😞 Secondly, it's the first I have heard of this...today, from you, that our landscape would not be possible due to Utility easement location to our building and no place to place it as is against City of Rockwall ordinance. (We need to fix that problem!). We need shrink the building to address several of these items. This was given to Chad and I today, from Casey, meeting the parking code. WE shrunk by 200sf, but may very well need to shrink more to accommodate the landscape requirements.

All in all, we need to work on these additional issues that are plaguing this project, but need some time to complete it. I appreciate you telling me that in the past, Developers have "played games" with resubmissions, etc in hopes of residents not coming out to defend their positions. That has never been and would never be a tactic that we would incorporate or use. Our issues have solely been lack of performance, execution and communication from our Civil. This issue will never occur again on another project from us, I assure you. I would humbly request that that Council, though we would love a vote for approval tonight, allow us the opportunity to address these issues above and try to make this work for everyone involved. I know in my heart of hearts that this is an absolute best use for the location and community barring having to have a Dry Cleaners pick up location here. That serves no one positively, in my opinion. We want to work hard to gain the City and the Communities respect and approval on this one! Thank you for allowing us that opportunity!

Regards,  
Cary

**Cary Albert**  
President | Albert Enterprises





**o:** (214) 483-0400  
**m:** (214) 882-1414  
**f:** (214) 960-1993  
**e:** [calbert@albertenterprises.com](mailto:calbert@albertenterprises.com)

14114 Dallas Pkwy, Suite 670  
Dallas, TX 75254

[www.albertenterprises.com](http://www.albertenterprises.com)



BAR IS ONE INCH ON ORIGINAL FULL-SIZE PRINT  
CASEY  
FILE: 1  
SUP SITE PLAN SMOOTHIE KING2.DWG  
PRINTED: 9/2/2020 10:49 AM  
STB FILE: 1  
WIER-PAVING-STB  
LAST SAVED: 9/2/2020 10:49 AM  
SAVED BY: 1  
CASEY

LEGEND

LANDSCAPE AREA  
(RE: LANDSCAPE PLAN)

CONCRETE SIDEWALK

GENERAL NOTES:

1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C, WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

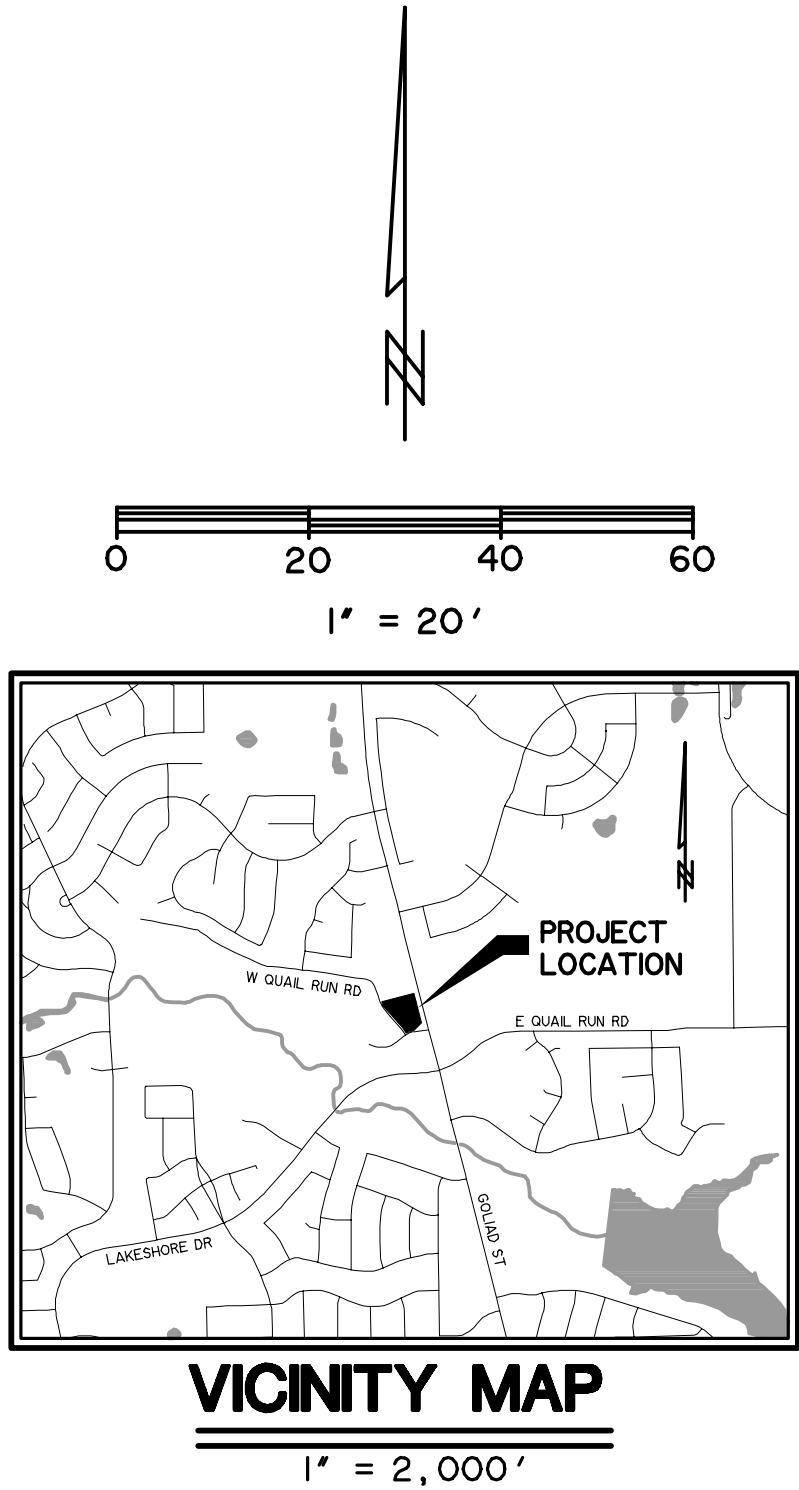
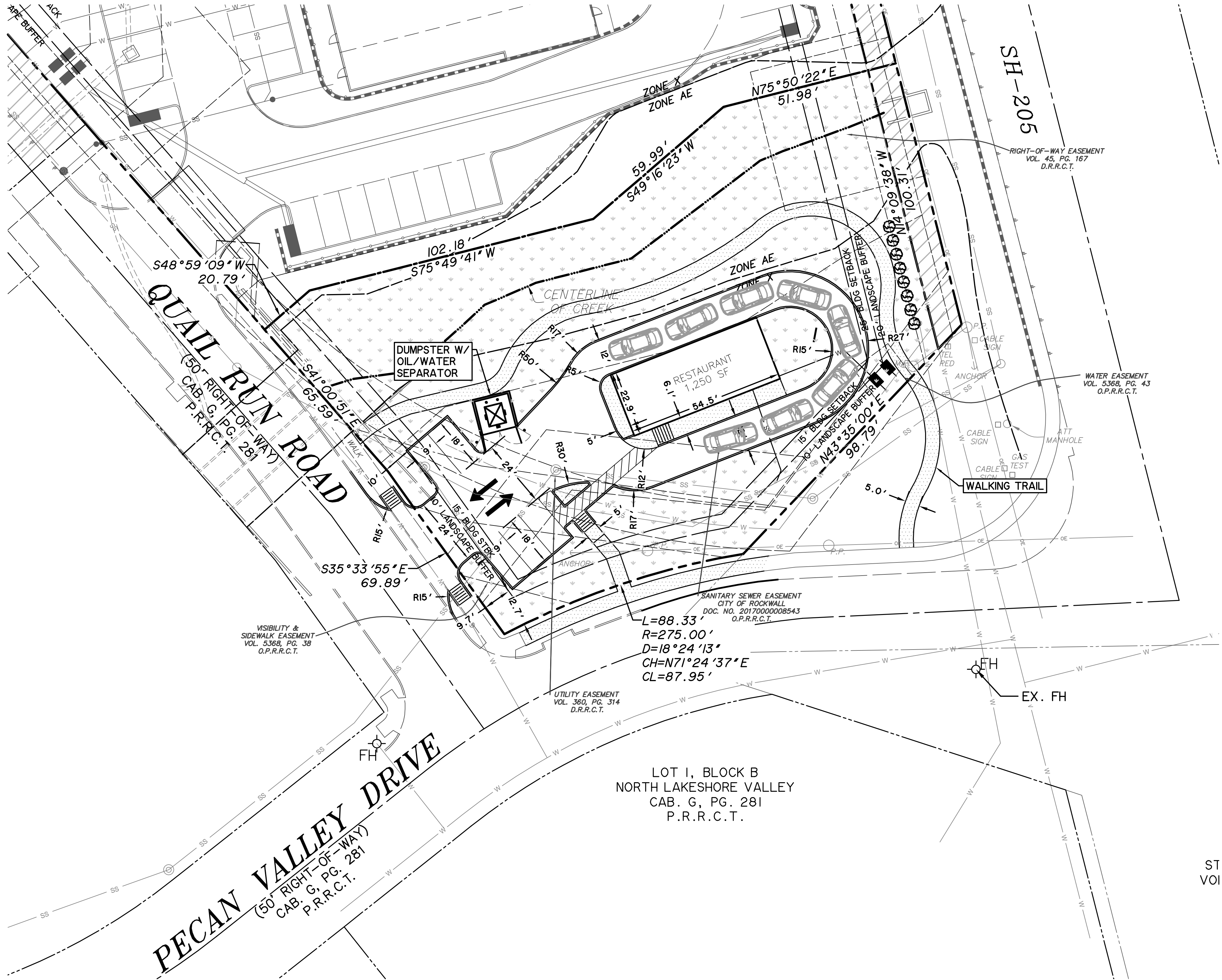
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE 1313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT W/ DRIVE-THRU (REQUIRES SUP)
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,250 SF (MAX)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.0%
LANDSCAPE AREA	15,920 SF
LANDSCAPE COVERAGE	63.1%
PARKING CALCULATION	1/250 SF = 1,250/250 = 5
REQUIRED PARKING	5
PROVIDED PARKING	5

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, L.T.D., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

September 21, 2020

PREPARED BY:  
**WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-037

DATE: 9/21/2020  
W.A. No. 19022





## CITY OF ROCKWALL

### PLANNING AND ZONING COMMISSION CASE MEMO

#### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

---

**TO:** Planning and Zoning Commission

**DATE:** September 29, 2020

**APPLICANT:** Casey Orr, PE; *Wier & Associates, Inc.*

**CASE NUMBER:** Z2020-037; *Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive*

---

#### SUMMARY

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

#### BACKGROUND

The subject property -- *which is a portion of a larger 2.356-acre tract of land* -- was annexed into the City of Rockwall on February 3, 1961 by *Ordinance No. 61-02*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The property would remain zoned Agricultural (AG) District until January 3, 2006 when the City Council approved Planned Development District 65 (PD-65) [*Ordinance No. 06-02; Case No. Z2004-037*]. This Planned Development District designated the subject property for General Retail (GR) District land uses. Since the establishment of Planned Development District 65 (PD-65), the Planned Development District has been amended three (3) times (*i.e. Ordinance No.'s 08-02, 10-28, & 17-03*); however, the designation of the subject property has remained for General Retail (GR) District land uses.

On July 9, 2019, the 2.356-acre tract of land -- *of which the 0.579-acre subject property is a part of* -- was approved for a site plan [*Case No. SP2019-023*] for an ~11,000 SF strip retail building. This portion of the tract of land is currently under construction, and physically separated from the subject property by flood plain that traverses the tract of land from N. Goliad Street to Pecan Valley Drive/Quail Run Road. Submitted concurrently with the site plan request for the 2.356-acre tract of land, was a Specific Use Permit (SUP) application for a *Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In* on the subject property [*Case No. Z2019-014*]; however, this request was ultimately withdrawn by the applicant on August 6, 2019. In addition, a final plat [*Case No. P2020-034*] was submitted for the entire 2.356-acre tract of land (*i.e. including the subject property*) and is currently being run concurrently with this case.

On June 19, 2020, the applicant had previously submitted same request as to what is being proposed currently (*i.e. for a Specific Use Permit [SUP] for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In*) under *Case No. Z2020-026*. This request was presented to the Planning and Zoning Commission on July 14, 2020, and was unanimously recommended for denial by a vote of 6-0, with Commissioner Moeller absent. Based on this, the applicant requested that the City Council withdraw the case. This withdraw request was approved by the City Council on July 20, 2020 by a vote of 7-0. After this action, the applicant resubmitted an application for the same request (*i.e. for a Specific Use Permit [SUP] for a restaurant, less than 2,000 SF, with drive-through or drive-in*). The only new materials provided with the reapplication were renderings of the building, an indication that the restaurant would be a *Smoothie King*, and a concept plan showing the inclusion of a walking trail.



## PURPOSE

The applicant -- *Casey Orr, PE of Wier & Associates, Inc.* -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* for the purpose of developing a restaurant (*i.e. Smoothie King*) on the subject property.

## ADJACENT LAND USES AND ACCESS

The subject property is addressed as 150 Pecan Valley Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a ~11,000 SF strip retail building on the same tract of land as the subject property. This building is currently under construction and is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is a daycare facility (*i.e. Children's Lighthouse Daycare*) situated on a 3.543-acre parcel of land (*i.e. Lot 1, Block A, Children's Lighthouse Addition*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses and Agricultural (AG) District. The Agricultural (AG) District portion of this property has a Specific Use Permit (SUP) for a daycare facility (*i.e. S-140; Ordinance No. 15-22*).

South: Directly south of the subject property is Pecan Valley Drive, which is designated as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. Walgreens Pharmacy*) situated on a 1.9894-acre parcel of land (*i.e. Lot 1, Block B, North Lakeshore Valley*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is N. Lakeshore Drive, which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is N. Goliad Street [SH-205], which is designated as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. CVS Pharmacy*) situated on a 2.519-acre parcel of land (*i.e. Lot 1R, Block B, Quail Run Retail*), which is zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses. Also, east of the subject property is a 62.484-acre tract of land (*i.e. Tract 3 of the S. King Survey, Abstract No. 131*) that is zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses.

West: Directly west of the subject property is Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an 11.723-acre tract of vacant land (*i.e. Tract 5 of the S. King Survey, Abstract No. 131*) that is owned by the City of Rockwall and zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses.

## CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a 1,415 SF limited service restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented toward S. Goliad Street, but will have only one (1) point of ingress/egress that will be on Quail Run Road. The drive-through lane will wrap around the building, and will not incorporate a *bailout* lane. The *food delivery/payment window* will be oriented north toward the floodplain and adjacent strip retail building, and the *restaurant ordering board* (*i.e. the point of order*) will be oriented facing directly onto N. Goliad Street approximately 37-feet from the right-of-way. In addition, the concept plan depicts eight (8) vehicles being able to be cued in the drive-through lane (*i.e. five [5] vehicles between the food delivery/payment window and the restaurant ordering board and three [3] vehicles behind the vehicle at the restaurant ordering board*) with headlight screening being included along N. Goliad Street. The concept plan also shows the provision of five (5) parking spaces and the location of trash dumpster enclosure.



## CONFORMANCE WITH THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant Less Than 2,000 SF with a Drive-Through or Drive-In* land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lands for drive-through service window (*i.e. the food delivery/payment window*) shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted site plan does show conformance to the minimum stacking requirements and provides shrubs along N. Goliad Street to help impair the visibility of headlights; however, the proposed concept plan shows the business making use of Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) or a residential street on the Master Thoroughfare Plan. In considering this non-conformity, it is important for staff to point out that the strip retail center currently being built north of the subject property already has a drive approach off of Quail Run Road, and that commercial traffic will be utilizing this portion of the roadway regardless of if this Specific Use Permit (SUP) is approved. It should also point out that additional landscaping -- *above and beyond what is depicted on the concept plan* -- will need to be provided to sufficiently screen the headlights of vehicles in the drive-through lane. Staff should also note that due to existing easements on the site, it may be difficult for the applicant to provide the required landscaping necessary to screen the headlights shining on to N. Goliad Street. If this proves to be the case, a three (3) foot masonry wall can be incorporated adjacent to the drive-through lane to achieve the same screening. This can be determined on the *Landscape Plan* submittal with the *Site Plan*, and an operation condition addressing this issue has been added to the attached draft ordinance.

In addition to not meeting the land uses standards, another issue with the proposed drive approach on Quail Run Road is its distance to the intersection of Pecan Valley Drive and Quail Run Road. According to the Engineering Department's *Standards of Design and Construction*, the minimum driveway spacing from an intersection of a R2 (*i.e. residential, two [2] lane, undivided roadway*) and a *Collector* is 100-feet. In this case, the driveway spacing is 37-feet from the intersection of Quail Run Road and Pecan Valley Road and the southernmost point of the proposed drive approach.

According to the City's parking requirements contained in Article 06, *Parking and Loading*, of the Unified Development Code (UDC), a *limited service restaurant* carries a parking requirement of one (1) parking space per 250 SF of building area. In this case, this would translate to a minimum of six (6) parking space (*i.e. 1,415 SF/250 SF = 5.66 or 6 parking spaces*). The proposed concept plan currently only depicts five (5) parking spaces. In addition, Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), states "...enclosures shall be located to the side or rear of the primary buildings, and shall not front on to a public right-of-way." In this case, the proposed trash enclosure fronts onto Pecan Valley Drive and would need a variance to this requirement.

Finally, staff should point out that as part of this amended request the applicant -- *unsolicited by staff* -- has incorporated a trail system that was not on the original, resubmitted concept plan. Since this was provided by the applicant it will be a requirement of the Specific Use Permit (SUP) ordinance; however, a portion of this trail system shows to be running into the 100-year floodplain. In order to do this, the applicant will need to perform a Flood/Waters of the United States Study and provide an updated tree mitigation plan for the site. This has been added as a condition of approval in the *Recommendation* section of this case memo.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District and Planned Development District 65 (PD-65). The submitted building renderings will be subject to both the requirements of the N. SH-205 Overlay (N. SH-205 OV) District and review by the Architectural Review Board (ARB) at the time of site plan. Based on this, these elevations are not being proposed to be tied down as part of this case.



## **STAFF ANALYSIS**

Due to the site constraints of this particular property, it would be difficult for the applicant to meet the compensatory requirements -- *which are stipulated by the Unified Development Code (UDC)* -- needed to off-set the variances depicted on the applicant's concept plan. As a result, the following waivers/variances need to be considered as part of this Specific Use Permit (SUP) request:

- (1) A variance to the locational requirements for a trash enclosure.
- (2) A variance to the parking requirements to reduce the parking from the required six (6) parking spaces to five (5) parking spaces.
- (3) A waiver to the driveway spacing requirements to allow a drive approach to be 37-feet away from the intersection of a collector and a residential roadway.
- (4) A waiver to allow a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* to only have access on to a residential roadway.

As previously stated, the strip retail center to the north -- *which is located on the same tract of land as the subject property* -- also has a drive approach on to Quail Run Road; however, this development also has an approach on to SH-205, which the subject property is not capable of. This means that all traffic generated on the subject property will have to make use of Quail Run Road.

It may also be material for staff to note that when the applicants originally met with staff about the strip retail center, staff informed the applicants that due to the site constraints (*i.e. flood plain, easements, buildable area, frontage on three [3] roadways, etc.*) it would be difficult for a building to be constructed on this portion of the property. Staff also explained that it was unsafe to allow a drive approach off of N. Goliad Street, Pecan Valley Drive, and/or Quail Run Road. At that time, the applicants were proposing a plan that showed a bridge connecting the subject property to the remainder of the tract (*i.e. where the strip retail center is being constructed*). Since this time, the applicant has attempted three (3) submittals on this property, all of which have been for limited service restaurants. Two (2) of these applications were withdrawn, with one (1) being withdrawn after the work session with the Planning and Zoning Commission and one (1) being withdrawn after the Planning and Zoning Commission's recommendation of denial. With all of this being said, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On August 15, 2020, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Shore on Lake Ray Hubbard, Random Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit Homeowners Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 13 responses (*i.e. eight (8) emails and five (5) property owner notifications*) opposed to the applicant's request and one (1) property owner notification in favor of the applicants request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. Smoothie King*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the draft ordinance.



- (b) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along Pecan Valley Drive and N. Goliad Street to provide headlight screening for vehicles traveling along N. Goliad Street from vehicles in the drive-through and cueing lanes of the proposed restaurant.
- (2) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (3) The approval of this Specific Use Permit (SUP) will waive the driveway spacing requirements for a drive approach on a residential street as stipulated in the Engineering Department's *Standards of Design and Construction Manual*.
- (4) The approval of this Specific Use Permit (SUP) will constitute a variance to the minimum parking requirements for a *limited service restaurant* as stipulated by Section 06.05, *Off-Street Loading Requirements*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) to allow five (5) parking spaces in lieu of the six (6) required parking spaces.
- (5) The approval of this Specific Use Permit (SUP) will constitute a variance to the dumpster enclosure orientation requirements stipulated by Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow the dumpster enclosure to be oriented toward a public right-of-way.
- (6) A Floodplain/Waters of the United States Study and updated tree mitigation plan will need to be submitted prior to establishing the trail in the floodplain.
- (7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 4-2, with Commissioners Deckard and Welch dissenting and Commissioner Conway absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [zoning change or Specific Use Permit (SUP)] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 150 Pecan Valley Dr

Subdivision A0131, S. King Survey, Tract 1; Pecan Valley Retail Lot 1 Block A

General Location NWC Goliad St & Pecan Valley Dr

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-65 w. N. SH-205 Overlay

Current Use Undeveloped/Vacant

Proposed Zoning PD-65 w. N. SH-205 Overlay

Proposed Use Restaurant w/ Drive-Thru

Acreage 2.246

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ Owner JCDB Goliad Holdings, LLC

☐ Applicant Wier & Associates, Inc.

Contact Person Chad DuBose

Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

City, State & Zip Henderson, TX 75654

Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

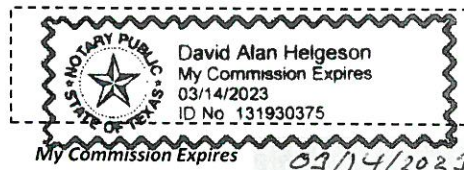
Before me, the undersigned authority, on this day personally appeared Cary Albert [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 233.69, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of August, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

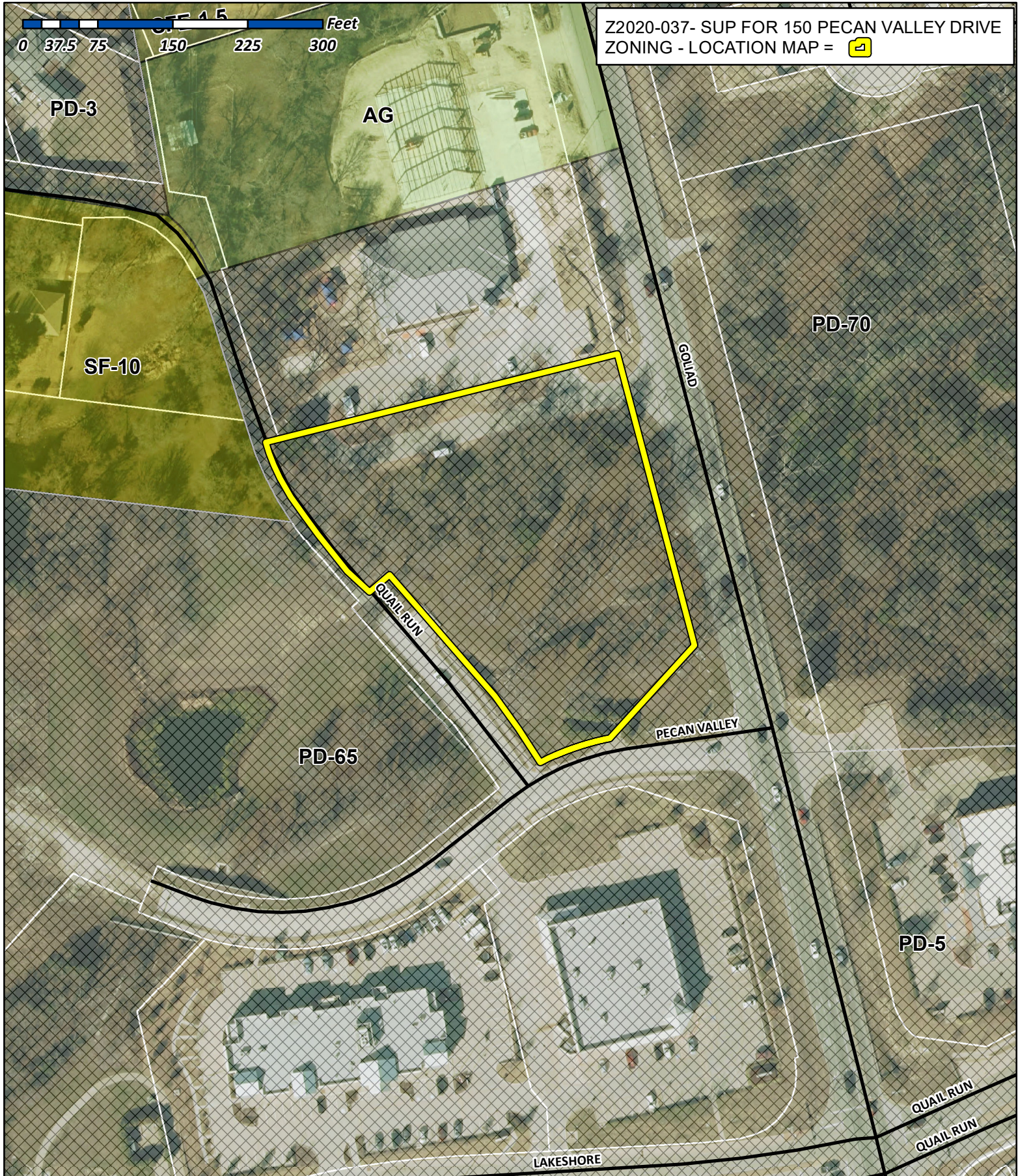
Given under my hand and seal of office on this the 14th day of August, 20 20.

Owner's Signature

Notary Public in and for the State of Texas







## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



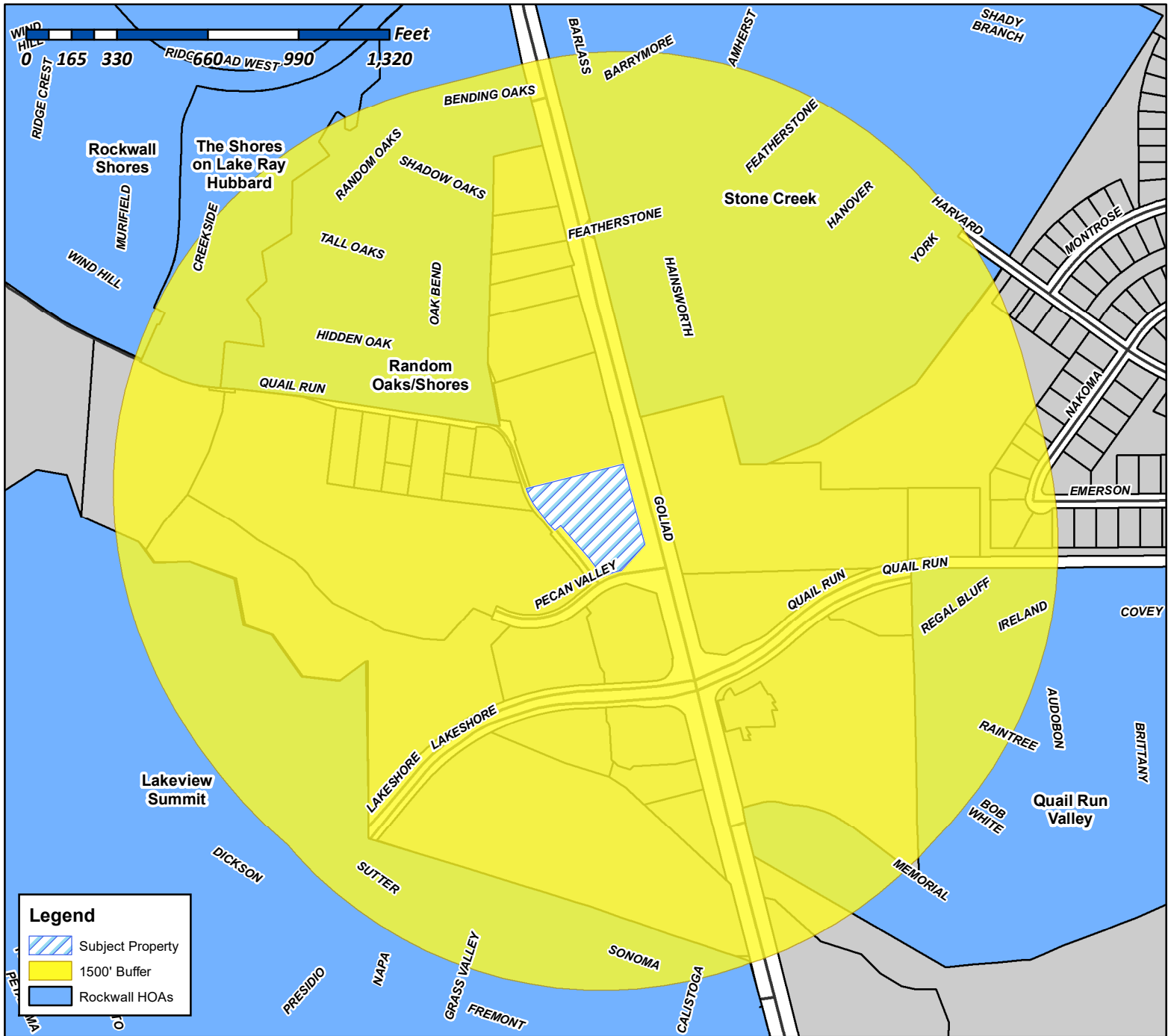




# City of Rockwall

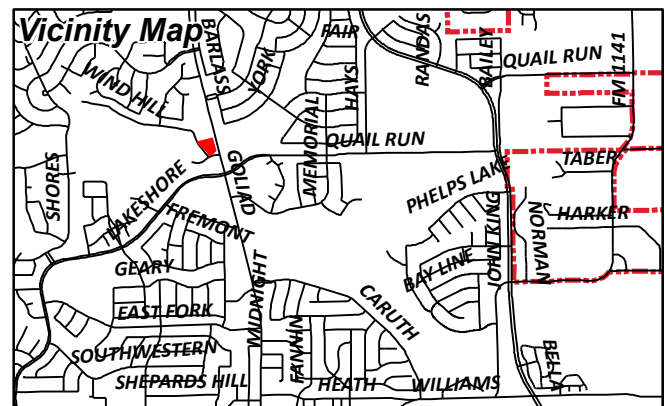
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, August 18, 2020 4:59:49 PM  
**Attachments:** [HOA Map Z2020-037.pdf](#)  
[Public Notice \(08.18.2020\).pdf](#)

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HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, August 21, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

M REA PROPERTIES 2 LLC  
1234 TRALEE LN  
GARLAND, TX 75044

PACESETTER HOMES LLC  
14400 THE LAKES BLVD BUILDING C SUITE 200  
AUSTIN, TX 78660

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE  
1823 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L  
1825 HAINSWORTH DR  
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C  
1827 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D  
1830 OAK BEND DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC  
203 E INTERSTATE 30  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2265 NORTH LAKESHORE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CLARK TROY & JANICE  
3025 N GOLIAD ST  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ARRIAGA HENRY  
505 HIDDEN OAK LN  
ROCKWALL, TX 75087

JASMAN JAMES BLAKE  
511 HIDDEN OAK LN  
ROCKWALL, TX 75087

MURRAY NANCY J  
519 HIDDEN OAK LN  
ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC  
6000 UNIVERSITY AVE STE 350  
WEST DES MOINES, IA 50266



GOLIAD REAL ESTATE LLC  
7700 EASTERN AVENUE SUITE 705  
DALLAS, TX 75209

REY LUIS SR AND JUDY L  
806 YORK DR  
ROCKWALL, TX 75087

ODEYEMI ADETUNJI  
808 YORK DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
825 GOLIAD  
ROCKWALL, TX 75087

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

*Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

— . . . PLEASE RETURN THE BELOW FORM — . . . . .

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

**Please place a check mark on the appropriate line below:**

☐ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)



## Gamez, Angelica

---

**From:** Al Estrada <alrestrada@gmail.com>  
**Sent:** Wednesday, August 19, 2020 6:02 PM  
**To:** Planning  
**Subject:** Z20-20 037

Ladies and Gentlemen,

After careful consideration, it is my recommendation for this plan not to move forward with this proposal in this location.

The current traffic jams already produced by the current corner occupants on Goliad and Lakeview, in addition to the increase in traffic accidents will only become worse.

Respectfully submitted,

Al Estrada  
748 Monterey Drive  
ROCKWALL  
TX 75087  
713 829 0701

Lakeview Summit

---

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## Gamez, Angelica

---

**From:** Thomas Campion <thomas.campion@outlook.com>  
**Sent:** Wednesday, August 19, 2020 11:49 AM  
**To:** Planning  
**Subject:** Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

To whom it may concern,

Do we have to knock down all the trees just to get another random fast food joint? It seems like plenty of space exists next to and behind McDonalds. If trees have to be cleared I would prefer a healthier establishment take their place such as a sprouts for example.

Thomas R. Campion  
Resident Stone Creek Estates  
108 Chatfield Drive  
Rockwall, TX 75087

**From:** Homeowner Association <Email\_Alert@calibersoftware.email>  
**Sent:** Wednesday, August 19, 2020 11:19 AM  
**To:** thomas.campion@outlook.com  
**Subject:** Neighborhood Notification Program Notice

Dear Residents-

Please see below for a notice from the City of Rockwall regarding a zoning case near Stone Creek Estates HOA.

"Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *Friday, August 21, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, September 15, 2020 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 21, 2020 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive**

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a *Specific Use Permit (SUP)* for *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King



Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

Planning & Zoning  
City of Rockwall  
972.771.7745 Office  
<http://www.rockwall.com/planning/>

***Brittany Maxwell***  
**Community Association Manager**  
**Neighborhood Management, Inc.**  
1024 S. Greenville Ave, Suite 230 | Allen, TX 75002  
Direct 972-359-1548 X 230  
**Website**      **Click & Share Your Experience**



**AAMC®- Accredited Association Management Company®**

---

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**From:** [Debe Hyde](#)  
**To:** [Planning](#)  
**Subject:** Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive  
**Date:** Saturday, August 22, 2020 9:17:54 PM

---

Good day to you!

My name is Trent Hyde and I live at 218 West Quail Run Road, Rockwall.

With regard to Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive - **I am OPPOSED to the request for the reasons listed below:**

I have lived in Rockwall for over 20 years and in that time have watched Planning & Zoning just approve to fill up every little space of the once quiet area of Quail Run / Lakeshore Drive. This is destroying the integrity and the small town feel of Rockwall to add yet another restaurant to Rockwall.

Have you ever tried to turn left from Pecan Valley Drive onto Highway 205 at any time of the day? It's close to impossible and extremely dangerous. I ask you to try it, especially during high traffic hours.

Please, we are pleading, do not approve any establishment to be built on this corner. You will just be adding one more problem to the chaos. Thank you for your consideration!

Trent Hyde  
214-924-9061

---

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**From:** [Ed Mahoney](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037 Smoothie King  
**Date:** Thursday, August 20, 2020 10:35:03 AM

---

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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**From:** [J Chastain](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037  
**Date:** Sunday, August 23, 2020 7:11:27 AM

---

If like to express my concern with putting another drive through at the corner of lakeshore and 205. Morning traffic consistently backs up at this intersection all the way to the shores entrance. Bringing more people to this intersection will cause a lot of problems. Especially those who come North and have to pass through the line of cars as they try to turn left into this drive through. Not only is it an eye sore that they took down a beautiful Grove of trees but all of this cheap big chain fast food really downgrades rockwalls old charm. The original zoning was there for a reason. Rockwall was a well built city that preserved itself in it's correct areas. Please don't let that be degraded by some money hungry developers looking to make a quick dollar on any 20 square feet they can get there hands on.

---

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## Gamez, Angelica

---

**From:** Ed Mahoney <saildrambuie@sbcglobal.net>  
**Sent:** Thursday, August 20, 2020 10:35 AM  
**To:** Planning  
**Subject:** Z2020-037 Smoothie King

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Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

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As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Please do not remove the little left of what was once a beautiful area.  
This intersection is already over loaded with traffic. Do not add more.  
Leave what is left for the children and family who use it to walk.  
Let those wanting to make another million go some where else. Leave the area.

Name: Lanty W. Dean  
Address: 216 W. Duval Park Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Lanty W. Dean



## Gamez, Angelica

---

**From:** Marshall Brown <marshbrown@gmail.com>  
**Sent:** Wednesday, August 19, 2020 3:30 PM  
**To:** Planning  
**Subject:** Case Z2020-037

Greetings,

I'm writing this email in protest of Planning Case Z2020-037. I disagree with a drive through establishment in this area. Not only did a nice grove of trees get torn down for development, but a Smoothie King is not what is needed. If we want to keep that Rockwall small town feel, we should be promoting more restaurants where people can hang out. Bring some of the downtown feel to the Lakeshore/205 area instead.

There's a good walking path nearby. Maybe we could model the area to cater to more pedestrian traffic to alleviate the traffic congestion that's already there?

Cordially,

Marshall Brown  
673 Hanover Dr, Rockwall, TX 75087

---

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# PUBLIC NOTICE



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PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

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Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE

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PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Every beautiful tree will have to be removed.  
It will be dangerous for us and the children in the  
neighborhood because of the traffic.  
We will never be able to get onto Goliad St.  
Name: Mary F. Dean  
Address: 216 W. Quail Run Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Mary F. Dean



# PUBLIC NOTICE



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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.  
☒ I am opposed to the request for the reasons listed below.

THE SIZE AND SHAPE OF THE PROPERTY MAKES PLACING ANY SIZE RESTAURANT FACILITY A DANGEROUS PROPOSITION. 1. 1200 IS LARGE ENOUGH TO ALLOW INSIDE SEATING. SITE DOES NOT ALLOW ENOUGH PARKING. 2. INGRESS/EGRESS TO SITE WOULD BE WITHIN 30 FEET OF CORNER OF W QUAIL RUN RD & PECAN VALLEY WHICH IS SIGNIFICANTLY LESS THAN THE 100' REQUIREMENT MAKING A DANGEROUS TRAFFIC SITUATION THAT COULD CAUSE ACCIDENTS AND HARM TO PEDESTRIANS. 3. IT WOULD IMPAIR ACCESS TO CURRENT PROPERTY OWNERS.

Name:

MICHAEL HUNTER

Address:

260 W. QUAIL RUN RD, ROCKWALL TEXAS 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: *Worth*  
*Moora Investments, LLC*  
Address: *4995 Freeport Drwy Suite 175, Irving TX 75062*

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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385 S. Goliad Street  
Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

This would impose a hazardous Traffic situation for pedestrians and Residents on Quail Run, Pecan Valley, as well as <sup>impede</sup> Traffic on 205

Name: Vickie Hunter

Address: 220 W. Quail Run Rd., Rockwall

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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**From:** [Wendy Lee-Graham](#)  
**To:** [Planning](#)  
**Subject:** Re: case Z2020-037  
**Date:** Wednesday, August 26, 2020 5:00:48 PM

---

Hello,

I am emailing today to request you deny the planning application for a Smoothie King at this location.  
The last thing we need is another drive-thru establishment (or nail salon/dentist/childcare...) in this area.

Kind regards,  
Wendy Lee-Graham  
1645 Plummer Drive  
Rockwall, TX 75087

---

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**WIER & ASSOCIATES, INC.**

ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS

JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES

PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES

TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445





WIER & ASSOCIATES, INC.

ENGINEERS  
SURVEYORS  
LAND PLANNERS

September 1, 2020

City of Rockwall  
Planning & Development Services  
385 S. Goliad Street Rockwall, TX 75087  
Attn: Angelica Gamez

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES  
PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA ACHARYA, P.E.

RE: WA # 19022 – 150 PECAN VALLEY DR, ROCKWALL, TX 75087 (Z2020-037)

Dear City of Rockwall,

On behalf of the applicant, please find below a listing of requested waivers of the City of Rockwall Unified Development Code:

**Land Use Conditional Standards:** applicant is requesting a drive-thru for a restaurant, which is less than 2,000 sf. The proposed drive-thru will accommodate at least the required minimum 6 stacking spaces.

**Driveway Spacing:** applicant is requesting a waiver from the required driveway spacing. The site is bound by several constraints, including floodplain to the north, utility easements to the south and east, and 3 public roadways. The proposed driveway location is the most feasible.

**Dumpster Location:** applicant is requesting a waiver to allow the trash enclosure to front Pecan Valley. The enclosure will be screened with landscaping, a masonry wall, and a gate.

A copy of the SUP site plan and supporting documents are included for reference. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully,

Casey Orr, P.E.

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

WWW.WIERASSOCIATES.COM

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445



LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

- GENERAL NOTES:
1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

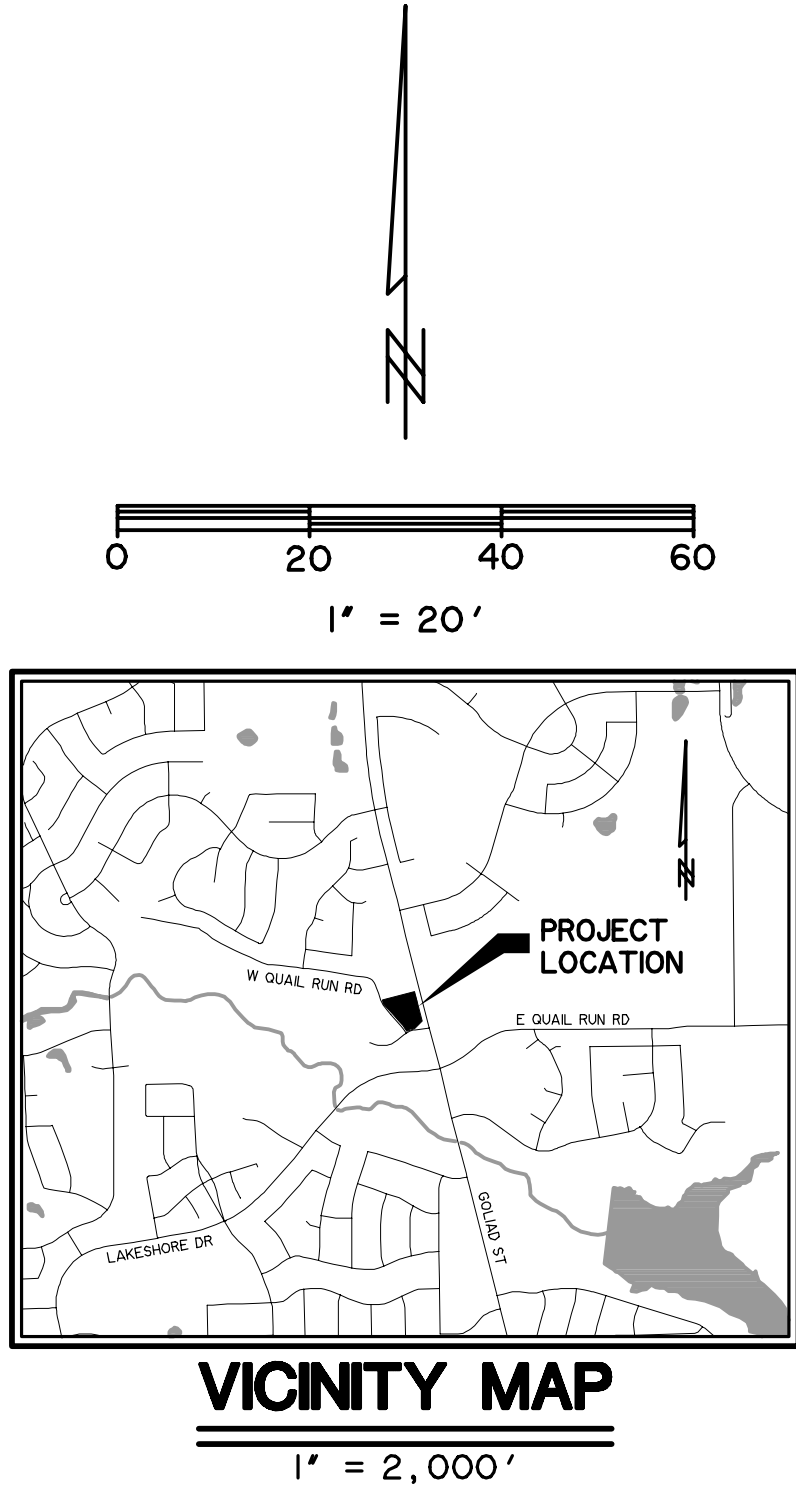
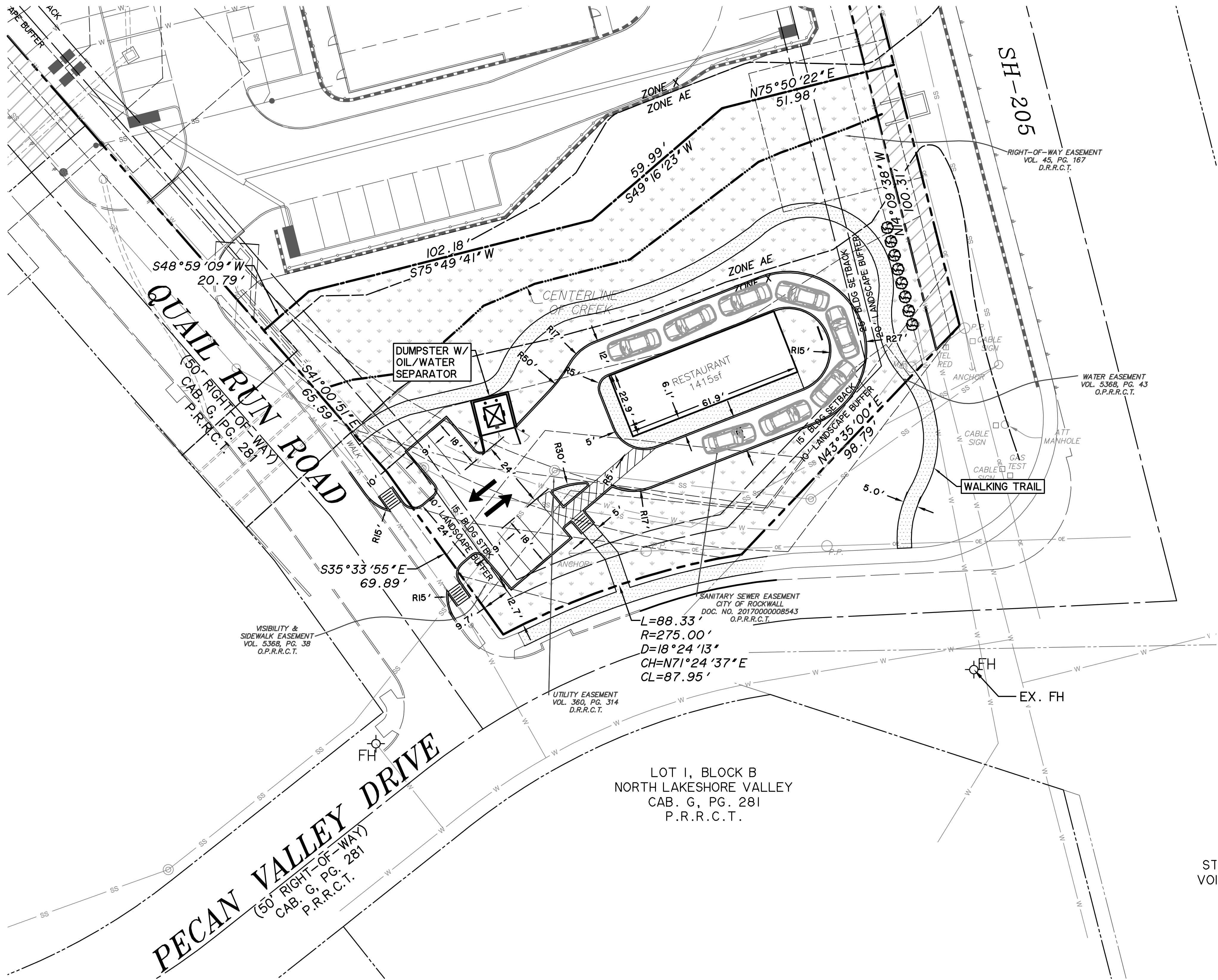
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

September 1, 2020

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-037

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.

DATE: 9/1/2020  
W.A. No. 19022





STUDIO | DESIGN





STUDIO DESIGN





STUDIO DESIGN



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [*ORDINANCE NO. 17-03*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 1 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Casey Orr, PE of Wier & Associates, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] for General Retail (GR) District land uses, addressed as 105 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*, and,



**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [Ordinance No. 17-03]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along *Pecan Valley Drive* and *N. Goliad Street* to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed restaurant.

## **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

---

Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: September 21, 2020

2<sup>nd</sup> Reading: October 5, 2020



**Exhibit 'A'**  
**Location Map and Legal Description**

Address: 105 Pecan Valley Drive

Legal Description: Tract 1 of the S. King Survey, Abstract No. 131





**Exhibit 'A'**  
*Location Map and Legal Description*

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- (1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- (2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.









## CITY OF ROCKWALL

### PLANNING AND ZONING COMMISSION MEMORANDUM

#### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

---

**TO:** Mayor and City Council

**FROM:** Ryan Miller, *Director of Planning and Zoning*

**DATE:** October 5, 2020

**SUBJECT:** Z2020-037; *Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive*

---

On September 21, 2020, -- *at the property owner's (Cary Albert of Albert Enterprises) request* -- the City Council remanded Case No. Z2020-037 back to the Planning and Zoning Commission in accordance with Section 02.03(D), *Submitting Additional Information*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). As part of this request, the applicant provided a new concept plan showing a decrease in the building area from 1,450 SF to 1,250 SF. Based on this reduction in size, the applicant's new plan brought the proposed parking layout into conformance with the UDC; however, the concept plan still does not conform to the minimum [1] land use requirements, [2] driveway spacing requirements, or [3] the dumpster orientation requirements. On September 29, 2020, the Planning and Zoning Commission reviewed the remanded case and failed to approve a motion to recommend approval of the case by a vote of 2-5, with Commissioners Welch and Deckard being the only votes in the affirmative. This is essentially the same motion that was made by the Planning and Zoning Commission on September 15, 2020 (*i.e. a motion to deny, which passed by a vote of 4-2, with Commissioners Welch and Deckard dissenting and Commissioner Conway absent*). Since this case is being recommended for denial, it will require a super-majority vote or six (6) out of the seven (7) members of the City Council for approval.

Staff is obligated to note that the applicant was not present at the meeting on September 29, 2020, and contacted staff on September 30, 2020 to state that they were unaware that the case was going before the Planning and Zoning Commission. In addition, Mr. Albert stated that they were under the impression that the case was withdrawn by the City Council. Based on this claim staff has reviewed the City Council meeting on September 21, 2020, and should note that the following was stated in the meeting: [1] staff and the City Council stated multiple times that the case was being remanded back to the Planning and Zoning Commission at the request of the applicant (*and as was stated in the applicant's email*), [2] the City Council requested that staff outline what the process was for a case being remanded back to the Planning and Zoning Commission, [3] staff specifically stated that the case would be heard before the Planning and Zoning Commission on September 29, 2020, and [4] the City Council specifically made and approved a motion to remand the case back to the Planning and Zoning Commission. Staff should also note that the applicant was in attendance for this meeting and was in the audience when all of this information was conveyed by the City Council and staff. In addition, staff was not contact by the applicant after the City Council meeting on September 21, 2020 until after the Planning and Zoning Commission meeting on September 30, 2020.

Finally, staff should mention that one (1) additional email in opposition was received and has been included in the attached packet for the City Council's review. This brings the total property owner notifications received to 14 in opposition and one (1) in favor. In lieu of being present at the meeting the Planning and Zoning Commission Chairman has also provided the attached email outlining the motion made by the Planning and Zoning Commission. Should the City Council have any questions concerning this case, staff will be available at the October 5, 2020 City Council meeting.



## Miller, Ryan

---

**From:** Healthy Mix LLC Rockwall <healthymix@sbcglobal.net>  
**Sent:** Tuesday, September 29, 2020 8:48 AM  
**To:** Miller, Ryan  
**Subject:** Smoothie King

Good morning Ryan ---

This is Mark Cole, owner of Smoothie King 507 in Rockwall

I wanted to express my concern with the possibility of another Smoothie King opening up four miles from our store in Rockwall.

When I first approached SK about opening in our city, they suggested that it would fail if we didn't have 50,000 people within a five mile radius. At that time, we have about 22,000 people 17 years ago. I persuaded them to relent and got our store opened. It took 6 years of marketing and determination to finally become profitable. We have been a positive and valuable member of this community with the many donations and fundraiser support we do each year.

SK contract always had a protected territory of a five mile radius for each store location. They just changed that when signing a new five yr agreement to 3 miles. If this store is allowed to open in Rockwall, I fear for us both -- we are not Chic Fil A ... there is only a certain percentage of people that enjoy smoothies. I don't believe the location or population at this time in north Rockwall warrants a new store, and I wouldn't want to try to be successful in this location. It would be detrimental to us both.

I understand the value of opening retail in this amazing city, but if it's over saturated with same business models, many will fail and strip centers will look stripped.

Thank you for reading this and your time -- Mark

Smoothie King #507 718 East I/H 30 Rockwall, TX 972-722-5840 Mark Cole

---

This email was scanned by Bitdefender

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## Miller, Ryan

---

**From:** Eric Chodun <eric@chodun.com>  
**Sent:** Wednesday, September 30, 2020 9:10 AM  
**To:** Miller, Ryan  
**Subject:** Re: Meeting Packet: September 29, 2020

Good morning Ryan,

Please inform City Council at their Monday meeting that for Case No. Z2020-037 the vote was 5 - 2 against approval. Motion was made to approve by Vice Chairman Welch and seconded by Commissioner Deckard. The primary issues for the votes against remain consistent with prior discussions (i.e., parking, didn't really change anything from prior submittal, how many actual transactions take place at this business, objections by the homeowners).

Let me know if you have any questions.

Eric



BAR IS ONE INCH ON ORIGINAL FULL-SIZE PRINT  
CASEY  
FILE: 1  
SUP SITE PLAN SMOOTHIE KING2.DWG  
PRINTED: 9/2/2020 10:49 AM  
STB FILE: 1  
WIER-PAVING-STB  
LAST SAVED: 9/2/2020 10:49 AM  
SAVED BY: 1  
CASEY

LEGEND

LANDSCAPE AREA  
(RE: LANDSCAPE PLAN)

CONCRETE SIDEWALK

GENERAL NOTES:

1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C, WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

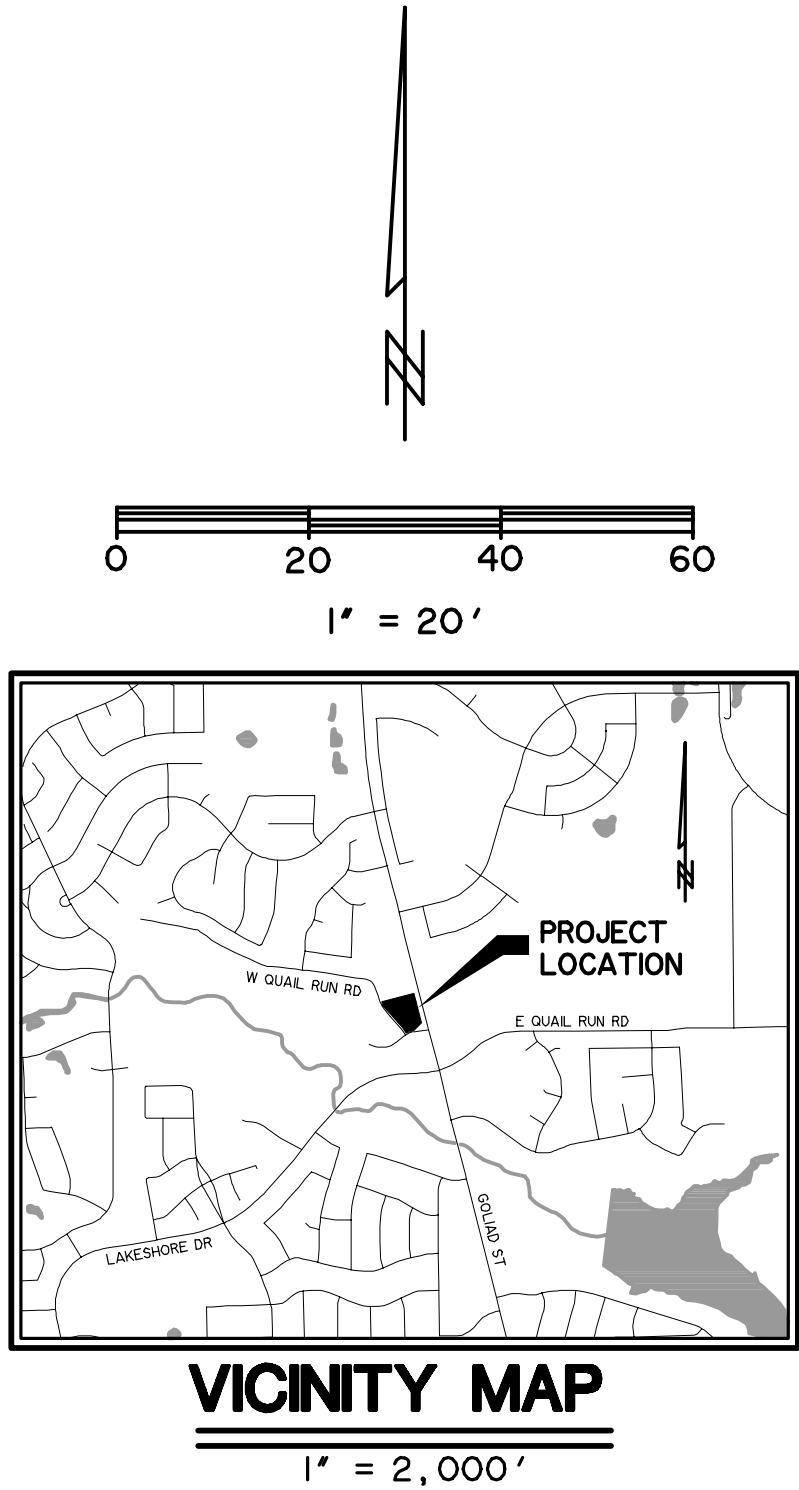
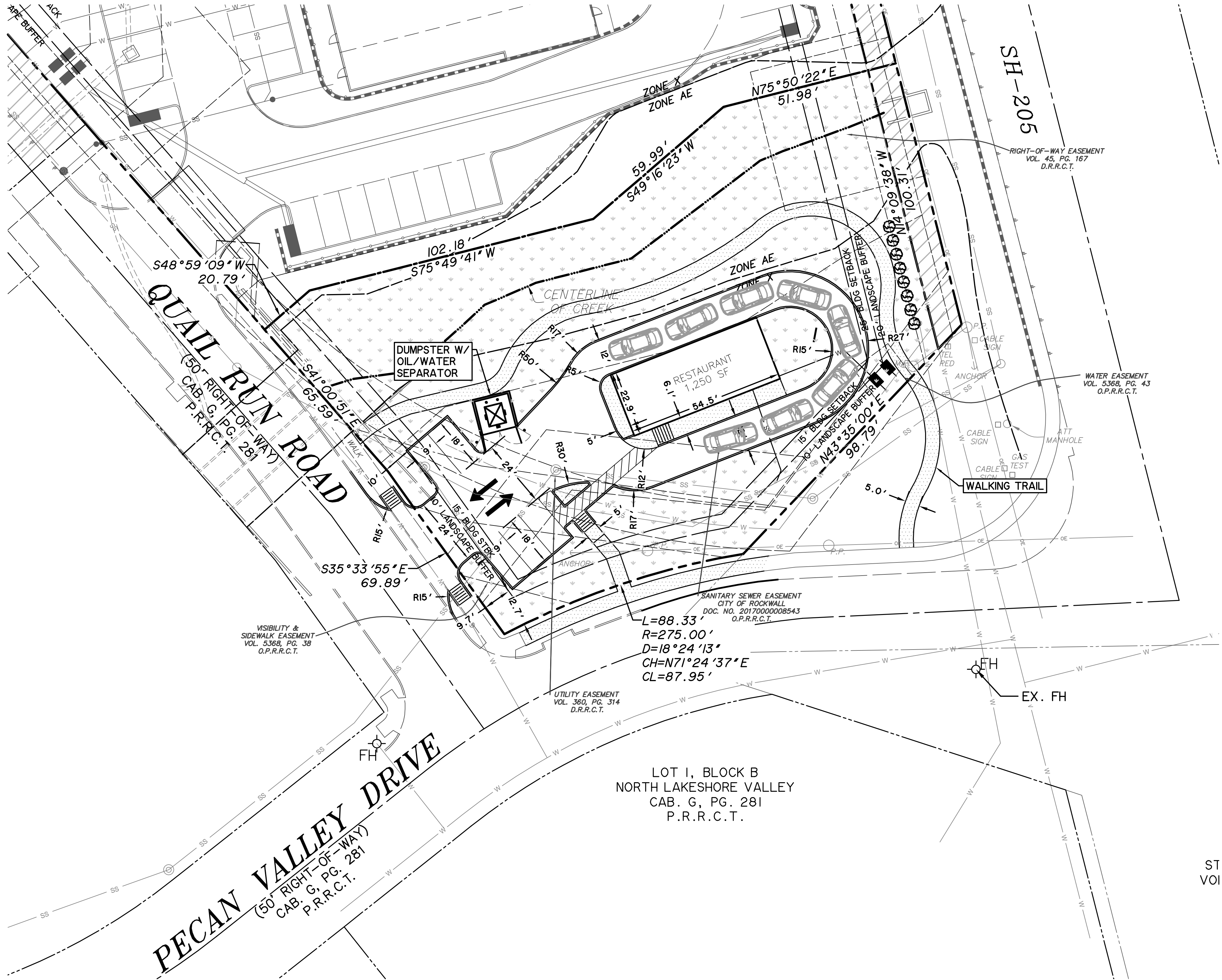
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CONTACT: CHAD DUBOSE  
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SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT W/ DRIVE-THRU (REQUIRES SUP)
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,250 SF (MAX)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.0%
LANDSCAPE AREA	15,920 SF
LANDSCAPE COVERAGE	63.1%
PARKING CALCULATION	1/250 SF = 1,250/250 = 5
REQUIRED PARKING	5
PROVIDED PARKING	5

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, L.T.D., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

September 21, 2020

PREPARED BY:  
**WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-037

DATE: 9/21/2020  
W.A. No. 19022





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

TO: Mayor and City Council

DATE: September 21, 2020

APPLICANT: Casey Orr, PE; *Wier & Associates, Inc.*

CASE NUMBER: Z2020-037; *Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

### BACKGROUND

The subject property -- *which is a portion of a larger 2.356-acre tract of land* -- was annexed into the City of Rockwall on February 3, 1961 by *Ordinance No. 61-02*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The property would remain zoned Agricultural (AG) District until January 3, 2006 when the City Council approved Planned Development District 65 (PD-65) [*Ordinance No. 06-02; Case No. Z2004-037*]. This Planned Development District designated the subject property for General Retail (GR) District land uses. Since the establishment of Planned Development District 65 (PD-65), the Planned Development District has been amended three (3) times (*i.e. Ordinance No.'s 08-02, 10-28, & 17-03*); however, the designation of the subject property has remained for General Retail (GR) District land uses.

On July 9, 2019, the 2.356-acre tract of land -- *of which the 0.579-acre subject property is a part* -- was approved for a site plan [*Case No. SP2019-023*] for an ~11,000 SF strip retail building. This portion of the tract of land is currently under construction, and physically separated from the subject property by flood plain that traverses the tract of land from N. Goliad Street to Pecan Valley Drive/Quail Run Road. Submitted concurrently with the site plan request for the 2.356-acre tract of land, was a Specific Use Permit (SUP) application for a *Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In* on the subject property [*Case No. Z2019-014*]; however, this request was ultimately withdrawn by the applicant on August 6, 2019. In addition, a final plat [*Case No. P2020-034*] was submitted for the entire 2.356-acre tract of land (*i.e. including the subject property*) and is currently being run concurrently with this case.

On June 19, 2020, the applicant had previously submitted same request as to what is being proposed currently (*i.e. for a Specific Use Permit [SUP] for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In*) under *Case No. Z2020-026*. This request was presented to the Planning and Zoning Commission on July 14, 2020, and was unanimously recommended for denial by a vote of 6-0, with Commissioner Moeller absent. Based on this, the applicant requested that the City Council withdraw the case. This withdraw request was approved by the City Council on July 20, 2020 by a vote of 7-0. After this action, the applicant resubmitted an application for the same request (*i.e. for a Specific Use Permit [SUP] for a restaurant, less than 2,000 SF, with drive-through or drive-in*). The only new materials provided with the reapplication were renderings of the building, an indication that the restaurant would be a *Smoothie King*, and a concept plan showing the inclusion of a walking trail.

### PURPOSE

The applicant -- *Casey Orr, PE of Wier & Associates, Inc.* -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* for the purpose of developing a restaurant (*i.e. Smoothie King*) on the subject property.



## **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 150 Pecan Valley Drive. The land uses adjacent to the subject property are as follows:

- North:** Directly north of the subject property is a ~11,000 SF strip retail building on the same tract of land as the subject property. This building is currently under construction and is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is a daycare facility (*i.e. Children's Lighthouse Daycare*) situated on a 3.543-acre parcel of land (*i.e. Lot 1, Block A, Children's Lighthouse Addition*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses and Agricultural (AG) District. The Agricultural (AG) District portion of this property has a Specific Use Permit (SUP) for a daycare facility (*i.e. S-140; Ordinance No. 15-22*).
- South:** Directly south of the subject property is Pecan Valley Drive, which is designated as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. Walgreens Pharmacy*) situated on a 1.9894-acre parcel of land (*i.e. Lot 1, Block B, North Lakeshore Valley*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is N. Lakeshore Drive, which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- East:** Directly east of the subject property is N. Goliad Street [*SH-205*], which is designated as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. CVS Pharmacy*) situated on a 2.519-acre parcel of land (*i.e. Lot 1R, Block B, Quail Run Retail*), which is zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses. Also, east of the subject property is a 62.484-acre tract of land (*i.e. Tract 3 of the S. King Survey, Abstract No. 131*) that is zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses.
- West:** Directly west of the subject property is Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an 11.723-acre tract of vacant land (*i.e. Tract 5 of the S. King Survey, Abstract No. 131*) that is owned by the City of Rockwall and zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a 1,415 SF limited service restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented toward S. Goliad Street, but will have only one (1) point of ingress/egress that will be on Quail Run Road. The drive-through lane will wrap around the building, and will not incorporate a *bailout* lane. The *food delivery/payment window* will be oriented north toward the floodplain and adjacent strip retail building, and the *restaurant ordering board* (*i.e. the point of order*) will be oriented facing directly onto N. Goliad Street approximately 37-feet from the right-of-way. In addition, the concept plan depicts eight (8) vehicles being able to be cued in the drive-through lane (*i.e. five [5] vehicles between the food delivery/payment window and the restaurant ordering board and three [3] vehicles behind the vehicle at the restaurant ordering board*) with headlight screening being included along N. Goliad Street. The concept plan also shows the provision of five (5) parking spaces and the location of trash dumpster enclosure.

## **CONFORMANCE WITH THE CITY'S CODES**

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant Less Than 2,000 SF with a Drive-Through or Drive-In* land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:



- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lands for drive-through service window (*i.e. the food delivery/payment window*) shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted site plan does show conformance to the minimum stacking requirements and provides shrubs along N. Goliad Street to help impair the visibility of headlights; however, the proposed concept plan shows the business making use of Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) or a residential street on the Master Thoroughfare Plan. In considering this non-conformity, it is important for staff to point out that the strip retail center currently being built north of the subject property already has a drive approach off of Quail Run Road, and that commercial traffic will be utilizing this portion of the roadway regardless of if this Specific Use Permit (SUP) is approved. It should also point out that additional landscaping -- *above and beyond what is depicted on the concept plan* -- will need to be provided to sufficiently screen the headlights of vehicles in the drive-through lane. Staff should also note that due to existing easements on the site, it may be difficult for the applicant to provide the required landscaping necessary to screen the headlights shining on to N. Goliad Street. If this proves to be the case, a three (3) foot masonry wall can be incorporated adjacent to the drive-through lane to achieve the same screening. This can be determined on the *Landscape Plan* submittal with the *Site Plan*, and an operation condition addressing this issue has been added to the attached draft ordinance.

In addition to not meeting the land uses standards, another issue with the proposed drive approach on Quail Run Road is its distance to the intersection of Pecan Valley Drive and Quail Run Road. According to the Engineering Department's *Standards of Design and Construction*, the minimum driveway spacing from an intersection of a R2 (*i.e. residential, two [2] lane, undivided roadway*) and a *Collector* is 100-feet. In this case, the driveway spacing is 37-feet from the intersection of Quail Run Road and Pecan Valley Road and the southernmost point of the proposed drive approach.

According to the City's parking requirements contained in Article 06, *Parking and Loading*, of the Unified Development Code (UDC), a *limited service restaurant* carries a parking requirement of one (1) parking space per 250 SF of building area. In this case, this would translate to a minimum of six (6) parking space (*i.e. 1,415 SF/250 SF = 5.66 or 6 parking spaces*). The proposed concept plan currently only depicts five (5) parking spaces. In addition, Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), states "...enclosures shall be located to the side or rear of the primary buildings, and shall not front on to a public right-of-way." In this case, the proposed trash enclosure fronts onto Pecan Valley Drive and would need a variance to this requirement.

Finally, staff should point out that as part of this amended request the applicant -- *unsolicited by staff* -- has incorporated a trail system that was not on the original, resubmitted concept plan. Since this was provided by the applicant it will be a requirement of the Specific Use Permit (SUP) ordinance; however, a portion of this trail system shows to be running into the 100-year floodplain. In order to do this, the applicant will need to perform a Flood/Waters of the United States Study and provide an updated tree mitigation plan for the site. This has been added as a condition of approval in the *Recommendation* section of this case memo.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District and Planned Development District 65 (PD-65). The submitted building renderings will be subject to both the requirements of the N. SH-205 Overlay (N. SH-205 OV) District and review by the Architectural Review Board (ARB) at the time of site plan. Based on this, these elevations are not being proposed to be tied down as part of this case.

### **STAFF ANALYSIS**

Due to the site constraints of this particular property, it would be difficult for the applicant to meet the compensatory requirements -- *which are stipulated by the Unified Development Code (UDC)* -- needed to off-set the variances depicted on the applicant's concept plan. As a result, the following waivers/variances need to be considered as part of this Specific Use Permit (SUP) request:

- (1) A variance to the locational requirements for a trash enclosure.
- (2) A variance to the parking requirements to reduce the parking from the required six (6) parking spaces to five (5) parking spaces.



- (3) A waiver to the driveway spacing requirements to allow a drive approach to be 37-feet away from the intersection of a collector and a residential roadway.
- (4) A waiver to allow a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* to only have access on to a residential roadway.

As previously stated, the strip retail center to the north -- *which is located on the same tract of land as the subject property* -- also has a drive approach on to Quail Run Road; however, this development also has an approach on to SH-205, which the subject property is not capable of. This means that all traffic generated on the subject property will have to make use of Quail Run Road.

It may also be material for staff to note that when the applicants originally met with staff about the strip retail center, staff informed the applicants that due to the site constraints (*i.e. flood plain, easements, buildable area, frontage on three [3] roadways, etc.*) it would be difficult for a building to be constructed on this portion of the property. Staff also explained that it was unsafe to allow a drive approach off of N. Goliad Street, Pecan Valley Drive, and/or Quail Run Road. At that time, the applicants were proposing a plan that showed a bridge connecting the subject property to the remainder of the tract (*i.e. where the strip retail center is being constructed*). Since this time, the applicant has attempted three (3) submittals on this property, all of which have been for limited service restaurants. Two (2) of these applications were withdrawn, with one (1) being withdrawn after the work session with the Planning and Zoning Commission and one (1) being withdrawn after the Planning and Zoning Commission's recommendation of denial. With all of this being said, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On August 15, 2020, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Shore on Lake Ray Hubbard, Random Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit Homeowners Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 13 responses (*i.e. eight (8) emails and five (5) property owner notifications*) opposed to the applicant's request and one (1) property owner notification in favor of the applicants request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. Smoothie King*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along Pecan Valley Drive and N. Goliad Street to provide headlight screening for vehicles traveling along N. Goliad Street from vehicles in the drive-through and cueing lanes of the proposed restaurant.
- (2) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (3) The approval of this Specific Use Permit (SUP) will waive the driveway spacing requirements for a drive approach on a residential street as stipulated in the Engineering Department's *Standards of Design and Construction Manual*.



- (4) The approval of this Specific Use Permit (SUP) will constitute a variance to the minimum parking requirements for a *limited service restaurant* as stipulated by Section 06.05, *Off-Street Loading Requirements*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) to allow five (5) parking spaces in lieu of the six (6) required parking spaces.
- (5) The approval of this Specific Use Permit (SUP) will constitute a variance to the dumpster enclosure orientation requirements stipulated by Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow the dumpster enclosure to be oriented toward a public right-of-way.
- (6) A Floodplain/Waters of the United States Study and updated tree mitigation plan will need to be submitted prior to establishing the trail in the floodplain.
- (7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 4-2, with Commissioners Deckard and Welch dissenting and Commissioner Conway absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."





# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

## STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 150 Pecan Valley Dr

Subdivision A0131, S. King Survey, Tract 1; Pecan Valley Retail Lot 1 Block A

General Location NWC Goliad St & Pecan Valley Dr

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-65 w. N. SH-205 Overlay

Current Use Undeveloped/Vacant

Proposed Zoning PD-65 w. N. SH-205 Overlay

Proposed Use Restaurant w/ Drive-Thru

Acreage 2.246

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ Owner JCDB Goliad Holdings, LLC

☐ Applicant Wier & Associates, Inc.

Contact Person Chad DuBose

Contact Person Casey Orr, P.E.

Address 8350 N. Central Expressway  
Suite 1313

Address 121 S. Main St

City, State & Zip Dallas, TX 75206

City, State & Zip Henderson, TX 75654

Phone 214-701-8455

Phone 903-722-9030

E-Mail chad@foremark.com

E-Mail caseyo@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Cary Albert [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 233.69, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of August, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

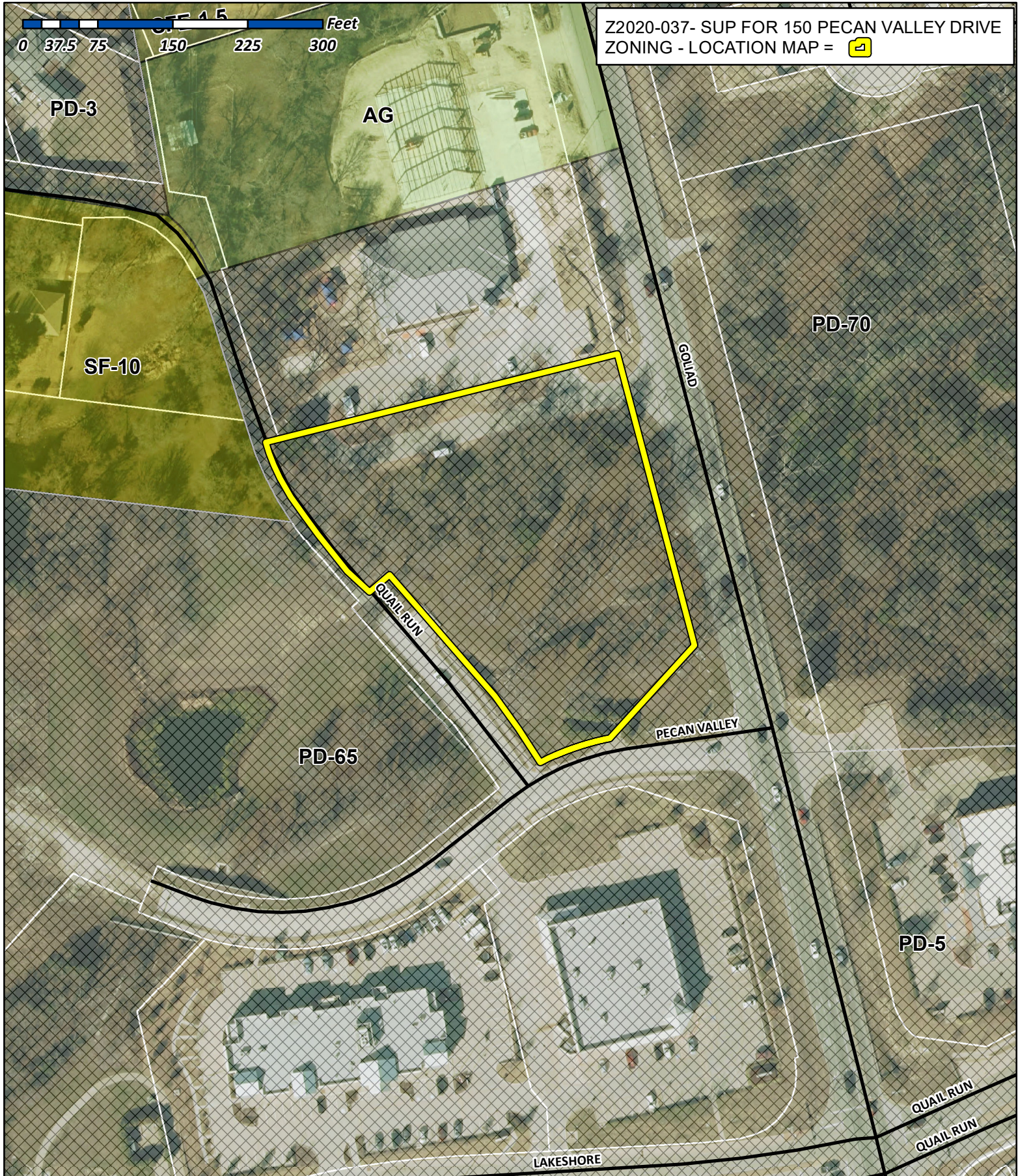
Given under my hand and seal of office on this the 14th day of August, 20 20.

Owner's Signature

Notary Public in and for the State of Texas







## City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

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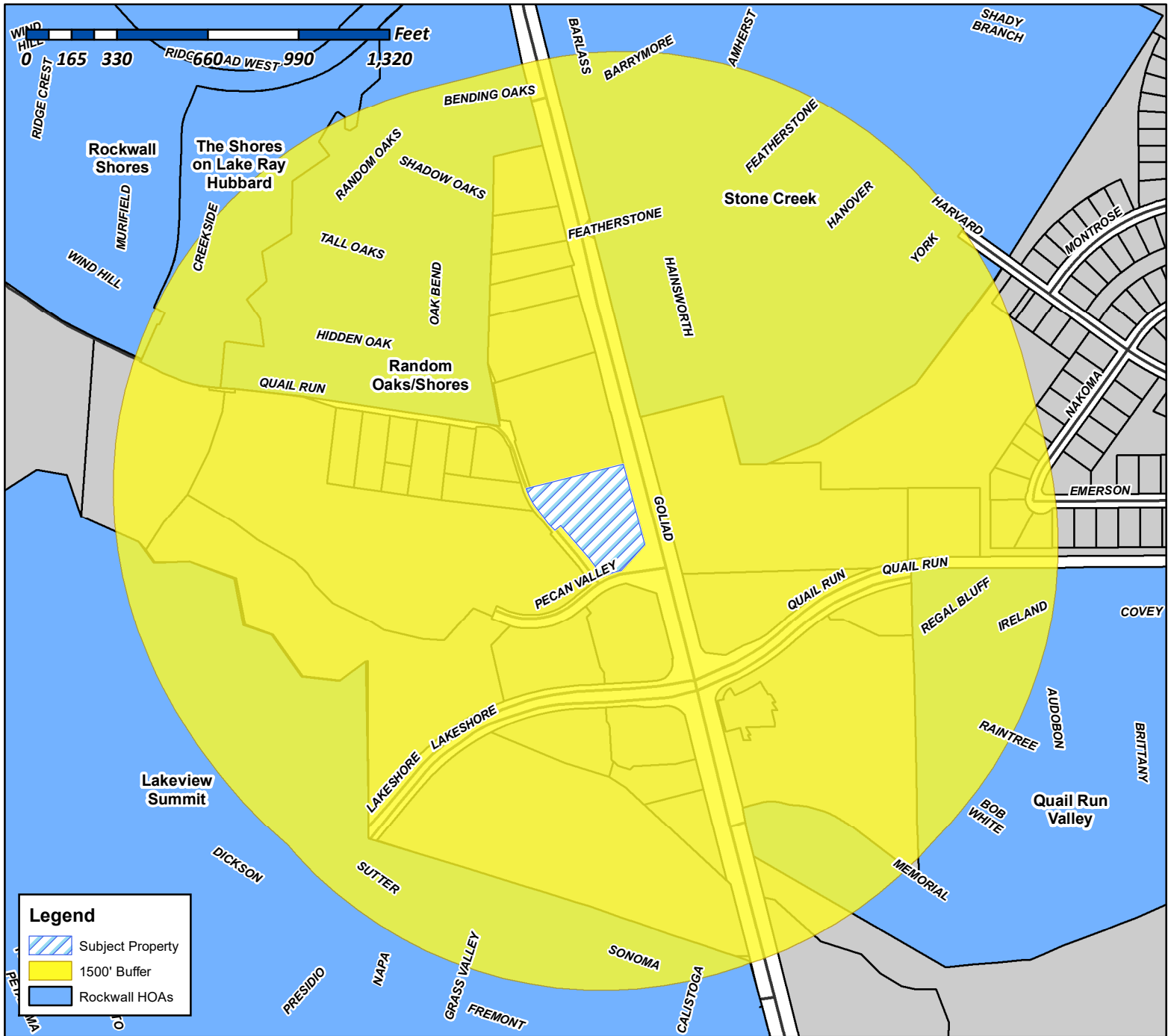




# City of Rockwall

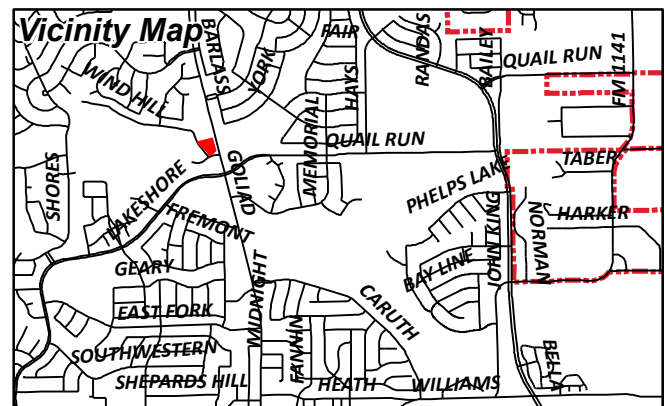
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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, August 18, 2020 4:59:49 PM  
**Attachments:** [HOA Map Z2020-037.pdf](#)  
[Public Notice \(08.18.2020\).pdf](#)

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HOA/Neighborhood Association Representative:

Per your participation in the [Neighborhood Notification Program](#), you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on [Friday, August 21, 2020](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, September 15, 2020 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, September 21, 2020 at 6:00 PM](#). Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a [Specific Use Permit \(SUP\)](#) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

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**Case Number:** Z2020-037  
**Case Name:** SUP for 150 Pecan Valley Drive  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Created:** 8/14/2020  
**For Questions on this Case Call** (972) 771-7745





ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

M REA PROPERTIES 2 LLC  
1234 TRALEE LN  
GARLAND, TX 75044

PACESETTER HOMES LLC  
14400 THE LAKES BLVD BUILDING C SUITE 200  
AUSTIN, TX 78660

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MOORE MICHAEL RAY JR & STEPHANIE  
1823 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

MORGAN RAYMOND L JR AND STEPHANIE L  
1825 HAINSWORTH DR  
ROCKWALL, TX 75087

ESCOBEDO OMAR & MARIA C  
1827 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D  
1830 OAK BEND DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC  
203 E INTERSTATE 30  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D  
220 W QUAIL RUN RD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
2265 NORTH LAKESHORE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CURRENT RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

CLARK TROY & JANICE  
3025 N GOLIAD ST  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ARRIAGA HENRY  
505 HIDDEN OAK LN  
ROCKWALL, TX 75087

JASMAN JAMES BLAKE  
511 HIDDEN OAK LN  
ROCKWALL, TX 75087

MURRAY NANCY J  
519 HIDDEN OAK LN  
ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC  
6000 UNIVERSITY AVE STE 350  
WEST DES MOINES, IA 50266



GOLIAD REAL ESTATE LLC  
7700 EASTERN AVENUE SUITE 705  
DALLAS, TX 75209

REY LUIS SR AND JUDY L  
806 YORK DR  
ROCKWALL, TX 75087

ODEYEMI ADETUNJI  
808 YORK DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
825 GOLIAD  
ROCKWALL, TX 75087

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

*Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

— . . . PLEASE RETURN THE BELOW FORM — . . .

**Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive**

**Please place a check mark on the appropriate line below:**

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.


Name:	
Address:	

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)



## Gamez, Angelica

---

**From:** Al Estrada <alrestrada@gmail.com>  
**Sent:** Wednesday, August 19, 2020 6:02 PM  
**To:** Planning  
**Subject:** Z20-20 037

Ladies and Gentlemen,

After careful consideration, it is my recommendation for this plan not to move forward with this proposal in this location.

The current traffic jams already produced by the current corner occupants on Goliad and Lakeview, in addition to the increase in traffic accidents will only become worse.

Respectfully submitted,

Al Estrada  
748 Monterey Drive  
ROCKWALL  
TX 75087  
713 829 0701

Lakeview Summit

---

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## Gamez, Angelica

---

**From:** Thomas Campion <thomas.campion@outlook.com>  
**Sent:** Wednesday, August 19, 2020 11:49 AM  
**To:** Planning  
**Subject:** Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

To whom it may concern,

Do we have to knock down all the trees just to get another random fast food joint? It seems like plenty of space exists next to and behind McDonalds. If trees have to be cleared I would prefer a healthier establishment take their place such as a sprouts for example.

Thomas R. Campion  
Resident Stone Creek Estates  
108 Chatfield Drive  
Rockwall, TX 75087

**From:** Homeowner Association <Email\_Alert@calibersoftware.email>  
**Sent:** Wednesday, August 19, 2020 11:19 AM  
**To:** thomas.campion@outlook.com  
**Subject:** Neighborhood Notification Program Notice

Dear Residents-

Please see below for a notice from the City of Rockwall regarding a zoning case near Stone Creek Estates HOA.

"Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *Friday, August 21, 2020*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, September 15, 2020 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 21, 2020 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive**

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a *Specific Use Permit (SUP)* for *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* on a 0.579-acre parcel of land identified as Tract 1 of the S. King



Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

Planning & Zoning  
City of Rockwall  
972.771.7745 Office  
<http://www.rockwall.com/planning/>

***Brittany Maxwell***  
**Community Association Manager**  
**Neighborhood Management, Inc.**  
1024 S. Greenville Ave, Suite 230 | Allen, TX 75002  
Direct 972-359-1548 X 230  
**Website**      **Click & Share Your Experience**



**AAMC®- Accredited Association Management Company®**

---

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**From:** [Debe Hyde](#)  
**To:** [Planning](#)  
**Subject:** Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive  
**Date:** Saturday, August 22, 2020 9:17:54 PM

---

Good day to you!

My name is Trent Hyde and I live at 218 West Quail Run Road, Rockwall.

With regard to Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive - **I am OPPOSED to the request for the reasons listed below:**

I have lived in Rockwall for over 20 years and in that time have watched Planning & Zoning just approve to fill up every little space of the once quiet area of Quail Run / Lakeshore Drive. This is destroying the integrity and the small town feel of Rockwall to add yet another restaurant to Rockwall.

Have you ever tried to turn left from Pecan Valley Drive onto Highway 205 at any time of the day? It's close to impossible and extremely dangerous. I ask you to try it, especially during high traffic hours.

Please, we are pleading, do not approve any establishment to be built on this corner. You will just be adding one more problem to the chaos. Thank you for your consideration!

Trent Hyde  
214-924-9061

---

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**From:** [Ed Mahoney](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037 Smoothie King  
**Date:** Thursday, August 20, 2020 10:35:03 AM

---

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

Sent from my iPad

---

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**From:** [J.Chastain](#)  
**To:** [Planning](#)  
**Subject:** Z2020-037  
**Date:** Sunday, August 23, 2020 7:11:27 AM

---

If like to express my concern with putting another drive through at the corner of lakeshore and 205. Morning traffic consistently backs up at this intersection all the way to the shores entrance. Bringing more people to this intersection will cause a lot of problems. Especially those who come North and have to pass through the line of cars as they try to turn left into this drive through. Not only is it an eye sore that they took down a beautiful Grove of trees but all of this cheap big chain fast food really downgrades rockwalls old charm. The original zoning was there for a reason. Rockwall was a well built city that preserved itself in it's correct areas. Please don't let that be degraded by some money hungry developers looking to make a quick dollar on any 20 square feet they can get there hands on.

---

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## Gamez, Angelica

---

**From:** Ed Mahoney <saildrambuie@sbcglobal.net>  
**Sent:** Thursday, August 20, 2020 10:35 AM  
**To:** Planning  
**Subject:** Z2020-037 Smoothie King

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney  
2601 Nova Park Ct  
Rockwall  
(The Shores)

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---

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# PUBLIC NOTICE



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PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

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Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

Please do not remove the little left of what was once a beautiful area.  
This intersection is already over loaded with traffic. Do not add more.  
Leave what is left for the children and family who use it to walk.  
Let those wanting to make another million go some where else. Leave the area.

Name: Lanty W. Dean  
Address: 216 W. Quail Run Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Lanty W. Dean



## Gamez, Angelica

---

**From:** Marshall Brown <marshbrown@gmail.com>  
**Sent:** Wednesday, August 19, 2020 3:30 PM  
**To:** Planning  
**Subject:** Case Z2020-037

Greetings,

I'm writing this email in protest of Planning Case Z2020-037. I disagree with a drive through establishment in this area. Not only did a nice grove of trees get torn down for development, but a Smoothie King is not what is needed. If we want to keep that Rockwall small town feel, we should be promoting more restaurants where people can hang out. Bring some of the downtown feel to the Lakeshore/205 area instead.

There's a good walking path nearby. Maybe we could model the area to cater to more pedestrian traffic to alleviate the traffic congestion that's already there?

Cordially,

Marshall Brown  
673 Hanover Dr, Rockwall, TX 75087

---

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# PUBLIC NOTICE



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PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

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Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE

MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.  
☒ I am opposed to the request for the reasons listed below.

Every beautiful tree will have to be removed.  
It will be dangerous for us and the children in the  
neighborhood because of the traffic.  
We will never be able to get onto Goliad St.  
Name: Mary F. Dean  
Address: 216 W. Quail Run Rd.

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Mary F. Dean



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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning

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## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.  
☒ I am opposed to the request for the reasons listed below.

THE SIZE AND SHAPE OF THE PROPERTY MAKES PLACING ANY SIZE RESTAURANT FACILITY A DANGEROUS PROPOSITION. 1. 1200 IS large enough to allow inside seating. SITE DOES NOT ALLOW ENOUGH PARKING. 2. INGRESS/EGRESS TO SITE WOULD BE WITHIN 30 feet of corner of W QUAIL RUN RD & PECAN VALLEY WHICH IS SIGNIFICANTLY LESS THAN THE 100' REQUIREMENT MAKING A DANGEROUS TRAFFIC SITUATION THAT COULD CAUSE ACCIDENTS AND HARM TO PEDESTRIANS. 3. IT WOULD IMPAIR ACCESS TO CURRENT PROPERTY OWNERS.

Name:

MICHAEL HUNTER

Address:

260 W. QUAIL RUN RD, Rockwall TEXAS 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name: *Worth*  
*Moora Investments, LLC*  
Address: *4995 Freeport Drwy Suite 175, Irving TX 75062*

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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Rockwall, TX 75087

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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

This would impose a hazardous Traffic situation for pedestrians and Residents on Quail Run, Pecan Valley, as well as <sup>impede</sup> Traffic on 205

Name: Vickie Hunter

Address: 220 W. Quail Run Rd., Rockwall

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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**From:** [Wendy Lee-Graham](#)  
**To:** [Planning](#)  
**Subject:** Re: case Z2020-037  
**Date:** Wednesday, August 26, 2020 5:00:48 PM

---

Hello,

I am emailing today to request you deny the planning application for a Smoothie King at this location. The last thing we need is another drive-thru establishment (or nail salon/dentist/childcare...) in this area.

Kind regards,  
Wendy Lee-Graham  
1645 Plummer Drive  
Rockwall, TX 75087

---

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**WIER & ASSOCIATES, INC.**

ENGINEERS  
SURVEYORS  
LAND PLANNERS

August 14, 2020

City of Rockwall  
Planning & Zoning Dept.  
385 S. Goliad St  
Rockwall, Texas 75087

**RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT  
NW CORNER OF GOLIAD & PECAN VALLEY  
W&A# 19022**

PRINCIPALS

JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES

PHILIP L. GRAHAM, P.E.  
JAKE H. FEARS, P.E., LEED AP BD+C  
RANDALL S. EARDLEY, P.E.

ASSOCIATES

TOBY W. RODGERS  
CASEY D. YORK  
PRIYA N. ACHARYA, P.E.  
TIM V. WALLACE, P.E.

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at [chad@foremark.com](mailto:chad@foremark.com) or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at [caseyo@wierassociates.com](mailto:caseyo@wierassociates.com) with any questions or comments.

Respectfully,

Casey Orr, P.E.  
Project Manager

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

[WWW.WIERASSOCIATES.COM](http://WWW.WIERASSOCIATES.COM)

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445





WIER & ASSOCIATES, INC.  
ENGINEERS  
SURVEYORS  
LAND PLANNERS

September 1, 2020

City of Rockwall  
Planning & Development Services  
385 S. Goliad Street Rockwall, TX 75087  
Attn: Angelica Gamez

PRINCIPALS  
JOHN P. WIER, P.E., R.P.L.S.  
ULYS LANE III, P.E., R.P.L.S., CFM  
CARLO SILVESTRI, P.E.  
GREGG MADSEN, R.P.L.S.

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RANDALL S. EARDLEY, P.E.

ASSOCIATES  
TOBY W. RODGERS  
CASEY D. YORK  
PRIYA ACHARYA, P.E.

RE: WA # 19022 – 150 PECAN VALLEY DR, ROCKWALL, TX 75087 (Z2020-037)

Dear City of Rockwall,

On behalf of the applicant, please find below a listing of requested waivers of the City of Rockwall Unified Development Code:

**Land Use Conditional Standards:** applicant is requesting a drive-thru for a restaurant, which is less than 2,000 sf. The proposed drive-thru will accommodate at least the required minimum 6 stacking spaces.

**Driveway Spacing:** applicant is requesting a waiver from the required driveway spacing. The site is bound by several constraints, including floodplain to the north, utility easements to the south and east, and 3 public roadways. The proposed driveway location is the most feasible.

**Dumpster Location:** applicant is requesting a waiver to allow the trash enclosure to front Pecan Valley. The enclosure will be screened with landscaping, a masonry wall, and a gate.

A copy of the SUP site plan and supporting documents are included for reference. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully,

Casey Orr, P.E.

2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006-7440  
(817) 467-7700  
FAX (817) 467-7713

WWW.WIERASSOCIATES.COM

121 S. MAIN ST.  
HENDERSON, TEXAS 75654-3559  
(903) 722-9030  
TOLL FREE FAX (844) 325-0445



LEGEND

LANDSCAPE AREA  
(REF: LANDSCAPE PLAN)

CONCRETE SIDEWALK

- GENERAL NOTES:
1. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.

2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C. WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.

3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.

4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FEMA NOTE

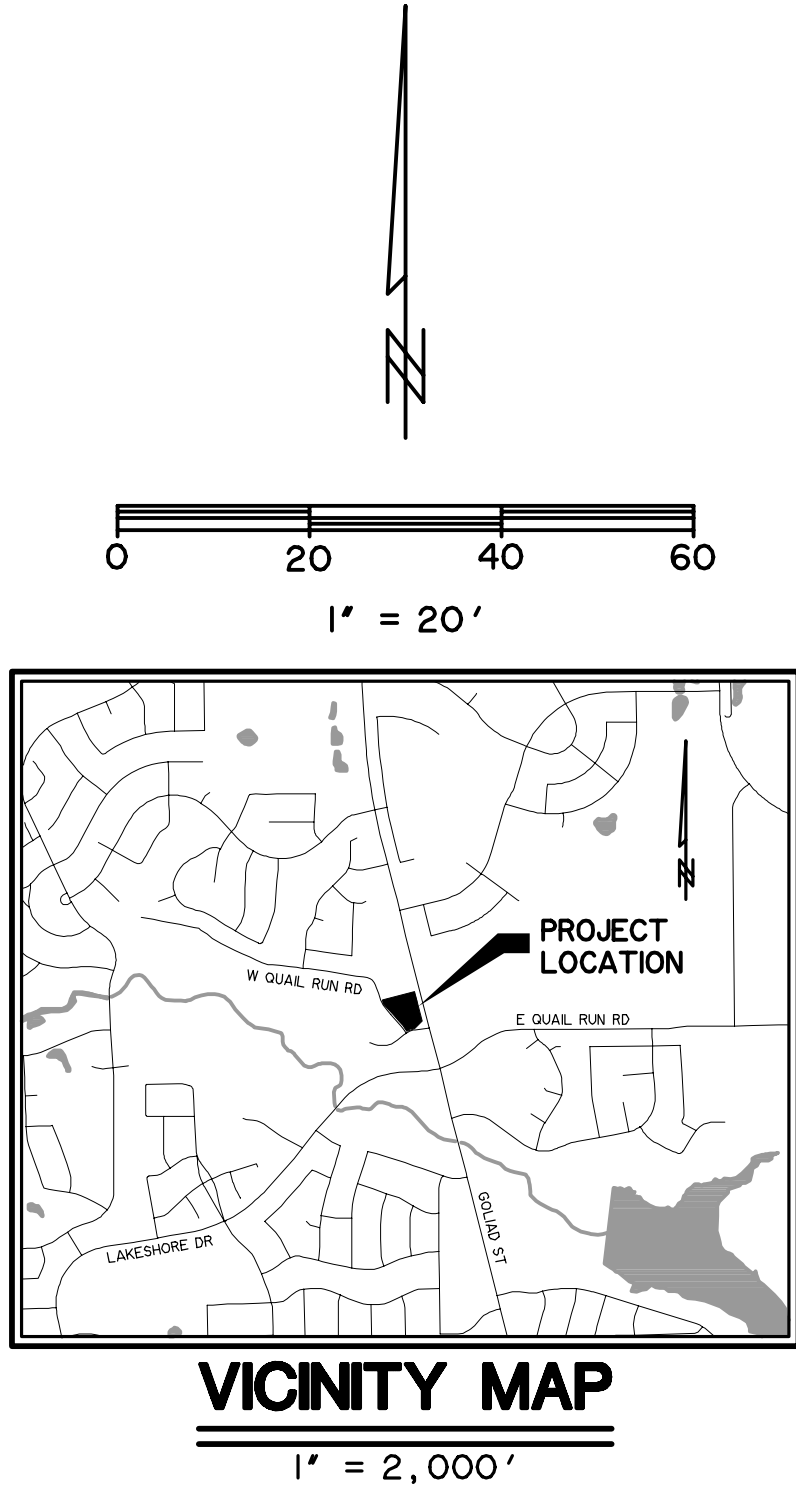
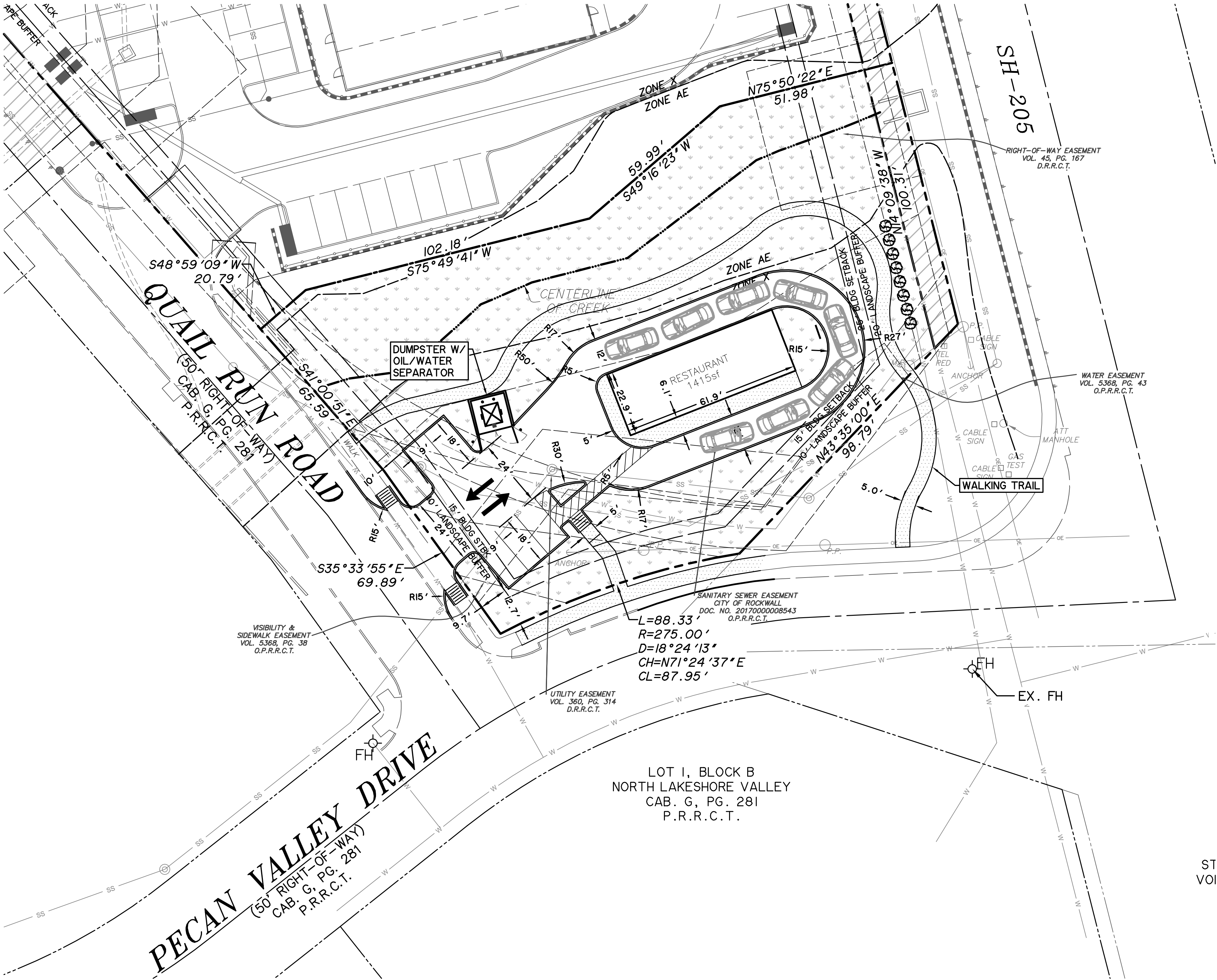
FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES "AE" AND "X". PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER

JCDB GOLIAD HOLDINGS, LLC  
CONTACT: CHAD DUBOSE  
8350 N CENTRAL EXPWY, STE I313  
DALLAS, TEXAS 75206  
PHONE: (214) 891-3215  
CHAD@FOREMARK.COM

ENGINEER

WIER & ASSOCIATES  
CONTACT: CASEY ORR, P.E.  
121 S. MAIN ST  
HENDERSON, TX 75654  
PHONE: (903) 722-9030  
CASEYO@WIERASSOCIATES.COM



SITE DATA CHART	
ZONING	PD-65 W/ N. SH-205 OVERLAY
EXISTING USE	VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	1,415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	11'-0"
BUILDING SETBACKS	HIGHWAY 205: 25' PECAN VALLEY DR: 15' QUAIL RUN RD: 15' INTERNAL: 10'
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.1%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
PROVIDED PARKING	5

SUP SITE PLAN  
RESTAURANT  
150 PECAN VALLEY DR  
ROCKWALL, TEXAS

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS

September 1, 2020

PREPARED BY:  
**WIA** WIER & ASSOCIATES, INC.  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
CASE No.: Z2020-037

CONCEPTUAL PLANS  
FOR PROJECT REVIEW.  
NOT FOR  
CONSTRUCTION,  
BIDDING OR PERMIT  
PURPOSES.  
Prepared By/Or Under  
Direct Supervision Of  
Casey B. Orr, PE  
Texas Registration  
No. 121642  
On Date Shown Below.

DATE: 9/1/2020  
W.A. No. 19022





STUDIO | DESIGN





STUDIO DESIGN





STUDIO DESIGN



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [*ORDINANCE NO. 17-03*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 1 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Casey Orr, PE of Wier & Associates, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] for General Retail (GR) District land uses, addressed as 105 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*, and,



**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [Ordinance No. 17-03]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along *Pecan Valley Drive* and *N. Goliad Street* to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed restaurant.

## **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.



**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

---

Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: September 21, 2020

2<sup>nd</sup> Reading: October 5, 2020



**Exhibit 'A'**  
**Location Map and Legal Description**

Address: 105 Pecan Valley Drive

Legal Description: Tract 1 of the S. King Survey, Abstract No. 131





**Exhibit 'A'**  
*Location Map and Legal Description*

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- (1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- (2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

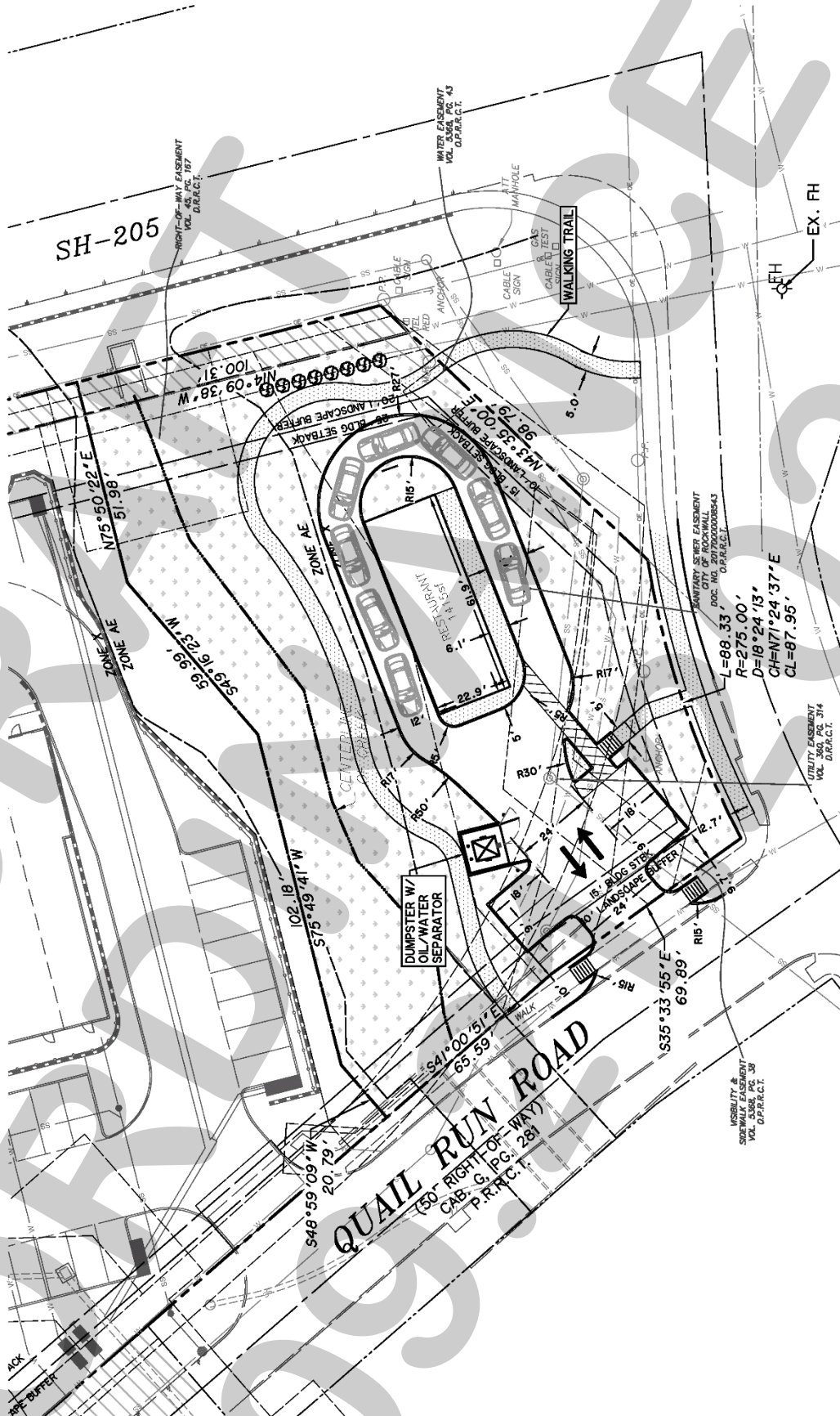
THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.



Exhibit 'B':  
Concept Plan







October 9, 2020

TO: JCDB Goliad Holdings, LLC  
ATTN: Chad DuBose  
8350 N. Central Expressway, Suite 1313  
Dallas, TX 75206

FROM: Ryan Miller, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: Z2020-037; SUP for 150 Pecan Valley Drive

Mr. DuBose:

This letter serves to notify you that the above referenced zoning case, that you submitted for consideration by the City of Rockwall, was denied by the City Council on October 5, 2020. The following is a record of all voting records:

Planning and Zoning Commission

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 4-2, with Commissioners Deckard and Welch and Commissioner Conway absent.

On September 29, 2020, the Planning and Zoning Commission failed to approve a motion to approve the Specific Use Permit (SUP) by a vote of 2-5, with Commissioners Moeller, Conway, Chodun, Thomas, and Womble dissenting.

City Council

On September 21, 2020, the City Council made a motion to remand the Specific Use Permit (SUP) back to the Planning and Zoning Commission per the applicant's request. This motion was approved by a vote of 7-0.

On October 5, 2020, the City Council approved a motion to deny the applicant's request to withdraw the case by a vote of 7-0. This action was followed by the approval of a motion to deny the Specific Use Permit (SUP). This motion passed by a vote of 7-0.

According to Subsection 02.05, *City Council Action*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(t)he City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment with or without prejudice. If a request or amendment is denied with prejudice, a new application may not be submitted for the same lot or tract of land -- or any portion thereof -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request ... If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (i.e. an application for the same request may be filed at the applicant's discretion). A failure to indicate a denial is with or without prejudice in making a motion to deny a request or amendment shall be considered a denial with prejudice." Should you have any questions or concerns regarding the denial of your site plan or the site planning process, please feel free to contact me a (972) 771-7745.

Sincerely,

Ryan Miller, AICP  
Director of Planning and Zoning